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1789-1908

BY
JAMES D. RICHARDSON
A REPRESENTATIVE FROM THE STATE OF TENNESSEE
(WITH REVISIONS)

VOLUME XI AND INDEX

PUBLISHED BY
BUREAU OF NATIONAL LITERATURE AND ART
1908

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Utah, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Utah, and within the boundaries particularly described as follows:

Beginning at the north-east corner of Township thirty-three (33) South, Range six (6) West, Salt Lake Meridian, Utah; thence southerly to the south-east corner of Section twenty-four (24), said township; thence westerly to the north-west corner of Section twenty-seven (27), said township; thence southerly to the north-west corner of Section ten (10), Township thirty-four (34) South, Range six (6) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section thirty-four (34), Township thirty-five (35) South, Range six (6) West; thence westerly along the Seventh (7th) Standard Parallel South to the north-east corner of Section five (5), Township thirty-six (36) South, Range six (6) West; thence southerly to the south-east corner of the north-east quarter of Section twenty (20), Township thirty-eight (38) South, Range six (6) West; thence westerly to the south-west corner of the north-west quarter of Section twenty-four (24), Township thirty-eight (38) South, Range seven (7) West; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the north-east corner of Section four (4), Township thirty-nine (39) South, Range seven (7) West; thence southerly to the south-east corner of Section nine (9), said township; thence westerly to the north-east corner of the north-west quarter of Section

seventeen (17), said township; thence southerly to the south-east corner of the north-west quarter of said section; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the south-east corner of Section eighteen (18), said township; thence westerly to the south-west corner of Section thirteen (13), Township thirty-nine (39) South, Range eight (8) West; thence northerly to the south-east corner of Section eleven (11), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of the north-east quarter of Section three (3), said township; thence westerly to the south-west corner of the north-east quarter of said section; thence northerly to the south-east corner of the north-west quarter of Section thirty-four (34), Township thirty-eight (38) South, Range eight (8) West; thence westerly to the south-west corner of the north-west quarter of Section thirty-three (33), said township; thence northerly to the south-east corner of the north-east quarter of Section twenty (20), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the south-east corner of Section eighteen (18), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of the north-east quarter of Section thirteen (13), Township thirty-eight (38) South, Range nine (9) West; thence westerly to the south-west corner of the north-east quarter of Section fourteen (14), said township; thence northerly to the south-east corner of the south-west quarter of Section two (2), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Township thirty-seven (37) South, Range nine (9) West; thence northerly to the north-west corner of Township thirty-six (36) South, Range nine (9) West; thence easterly along the Seventh (7th) Standard Parallel South to the north-east corner of said township; thence northerly to the north-west corner of Township thirty-five (35) South, Range eight (8) West; thence easterly to the south-east corner of Township thirty-four (34) South, Range eight (8) West; thence northerly to the north-west corner of Township thirty-three (33) South, Range seven (7) West; thence easterly to the north-east corner of Township thirty-three (33) South, Range six (6) West, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal

entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Sevier Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 12th day of May, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of

land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section fifteen (15), Township one (1) North, Range seventy-eight (78) West, Sixth (6th) Principal Meridian, Colorado; thence easterly to the north-east corner of Section thirteen (13), said township; thence southerly to the north-west corner of the south-west quarter of Section eighteen (18), Township one (1) North, Range seventy-seven (77) West; thence easterly to the north-east corner of the south-east quarter of Section seventeen (17), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-seven (27), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-five (35), said township; thence southerly to the south-east corner of said section; thence westerly along the Base Line to the north-east corner of Section three (3), Township one (1) South, Range seventy-seven (77) West; thence southerly to the south-east corner of Section thirty-four (34), said township; thence easterly to the north-east corner of Township two (2) South, Range seventy-seven (77) West; thence southerly to the south-east corner of said township; thence easterly to the north-east corner of Section four (4), Township three (3) South, Range seventy-six (76) West; thence southerly to the south-east corner of Section thirty-three (33), Township four (4) South, Range seventy-six (76) West; thence easterly to the north-east corner of Township five (5) South, Range seventy-six (76) West; thence southerly to the south-east corner of said township; thence westerly along the First Correction Line South to the north-east corner of Section four (4), Township six (6) South, Range seventy-six (76) West; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the north-east corner of Section two (2), Township seven (7) South, Range seventy-seven (77) West; thence southerly to the south-east corner of Section twenty-six (26), said township; thence westerly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-east corner of said section; thence westerly to the north-east corner of Township eight (8) South, Range seventy-nine (79) West; thence southerly to the south-east corner of said township; thence westerly to the south-west corner of Section thirty-six (36), said township; thence southerly along the section lines, allowing for the proper offsets, to the south-east corner of Section fourteen (14), Township twelve (12) South, Range seventy-nine (79) West; thence easterly to the north-east corner of the north-

west quarter of Section twenty-two (22), Township twelve (12) South, Range seventy-eight (78) West; thence southerly to the south-east corner of the south-west quarter of Section thirty-four (34), said township; thence easterly to the north-east corner of Township thirteen (13) South, Range seventy-eight (78) West; thence southerly to the north-west corner of Section nineteen (19), Township thirteen (13) South, Range seventy-seven (77) West; thence easterly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-east corner of Section thirty-three (33), said township; thence easterly to the north-east corner of Township fourteen (14) South, Range seventy-seven (77) West; thence southerly to the south-east corner of Township fifteen (15) South, Range seventy-seven (77) West; thence westerly along the Third (3rd) Correction Line South to the south-west corner of Section thirty-three (33), said township; thence northerly to the south-east corner of Section seventeen (17), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section seven (7), said township; thence northerly to the south-east corner of Section twelve (12), Township fourteen (14), South, Range seventy-eight (78) West; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section two (2), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty-four (34), Township thirteen (13) South, Range seventy-eight (78) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section thirty (30), said township; thence northerly to the south-east corner of the south-west quarter of Section eighteen (18), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section one (1), Township thirteen (13) South, Range seventy-nine (79) West; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section thirty-five (35), Township twelve (12) South, Range seventy-nine (79) West; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the south-west corner of Section twenty-six (26), said township; thence northerly to the south-east corner of the north-east quarter of Section twenty-two (22), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the south-west corner of Section

fifteen (15), said township; thence northerly to the north-west corner of the south-west quarter of said section; thence westerly to the south-west corner of the north-east quarter of Section sixteen (16), said township; thence northerly to the north-west corner of the north-east quarter of Section nine (9), said township; thence westerly to the south-west corner of Section four (4), said township; thence northerly to the south-east corner of the north-east quarter of Section twenty (20), Township eleven (11) South, Range seventy-nine (79) West; thence westerly to the south-west corner of the north-west quarter of Section nineteen (19), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section thirteen (13), Township eleven (11) South, Range eighty (80) West; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the south-west corner of Section twelve (12), said township; thence northerly along the section lines, allowing for the proper offset on the Second (2nd) Correction Line South, to the south-east corner of Section fourteen (14), Township ten (10) South, Range eighty (80) West; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of Section eleven (11), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section one (1), said township; thence easterly to the south-west corner of Section thirty-two (32), Township nine (9) South, Range seventy-nine (79) West; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the south-west corner of Section thirty-four (34), Township eight (8) South, Range seventy-nine (79) West; thence northerly to the south-east corner of Section nine (9), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty-nine (29), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of the north-east quarter of Section thirty-one (31), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the south-east corner of the north-east quarter of Section one (1), Township nine (9) South, Range eighty (80) West; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the south-east corner of the north-east quarter of Section eleven (11), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the south-east corner of Section ten (10), said township; thence westerly to the south-west corner of said section;

thence northerly to the north-west corner of Section twenty-two (22), Township eight (8) South, Range eighty (80) West; thence westerly to the north-east corner of the north-west quarter of Section twenty-one (21), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the north-east corner of the north-west quarter of Section twenty-nine (29), said township; thence southerly to the south-east corner of the south-west quarter of Section eight (8), Township nine (9) South, Range eighty (80) West; thence westerly to the north-east corner of Section fourteen (14), Township nine (9) South, Range eighty-one (81) West; thence southerly to the north-west corner of Section twelve (12), Township ten (10) South, Range eighty-one (81) West; thence easterly to the north-east corner of said section; thence southerly to the south-west corner of Section eighteen (18), Township ten (10) South, Range eighty (80) West; thence easterly to the south-east corner of Section seventeen (17), said township; thence southerly along the section lines, allowing for the proper offset on the Second (2nd) Correction Line South, to the north-west corner of Section twenty-eight (28), Township eleven (11) South, Range eighty (80) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section thirty-four (34), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the north-west corner of Section eleven (11), Township twelve (12) South, Range eighty (80) West; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the north-west corner of Section eighteen (18), Township twelve (12) South, Range seventy-nine (79) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty (20), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the north-west corner of Section ten (10), Township thirteen (13) South, Range seventy-nine (79) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of said section; thence southerly to the north-west corner of Section fifteen (15), Township fourteen (14) South, Range seventy-nine (79) West; thence easterly to the north-east corner of said section; thence southerly to the north-west corner of Section eleven (11), Township fifteen (15) South, Range seventy-nine (79) West; thence easterly to the north-east cor-

ner of the north-west quarter of said section; thence southerly to the north-west corner of the south-east quarter of Section fourteen (14), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the north-west corner of the south-west quarter of Section twenty-five (25), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-east corner of said township; thence easterly along the Third (3rd) Correction Line South to the north-east corner of Township fifty-one (51) North, Range seven (7) East, New Mexico Principal Meridian; thence southerly to the south-east corner of said township; thence westerly to the south-west corner of Township fifty-one (51) North, Range five (5) East; thence northerly to the north-west corner of said township; thence westerly along the Third (3rd) Correction Line South to the south-west corner of Township thirteen (13) South, Range eighty-one (81) West, Sixth (6th) Principal Meridian; thence northerly to the north-west corner of Township thirteen (13) South, Range eighty-one (81) West; thence westerly to the south-west corner of Township twelve (12) South, Range eighty-two (82) West; thence northerly along the range line, allowing for the proper offset on the Second (2nd) Correction Line South, to the north-west corner of Township ten (10) South, Range eighty-two (82) West; thence easterly to the north-east corner of said township; thence northerly to the north-west corner of Township eight (8) South, Range eighty-one (81) West; thence easterly to the north-east corner of Township eight (8) South, Range eighty (80) West; thence northerly to the north-west corner of Township six (6) South, Range seventy-nine (79) West; thence westerly along the First (1st) Correction Line South to the south-west corner of Township five (5) South, Range seventy-nine (79) West; thence northerly to the south-east corner of Township three (3) South, Range eighty (80) West; thence westerly to the south-west corner of said township; thence northerly to the south-east corner of Township two (2) South, Range eighty-one (81) West; thence westerly to the south-west corner of Section thirty-five (35), said township; thence northerly to the north-west corner of Section two (2), said township; thence easterly along the township line, allowing for the proper offset, to the north-east corner of Section four (4), Township two (2) South, Range eighty (80) West; thence southerly to the north-west corner of Section fifteen (15), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section twenty-two (22), said township; thence easterly to the north-east corner of the north-west quarter of Section thirty (30), Township two (2) South, Range

seventy-nine (79) West; thence southerly to the north-east corner of the south-west quarter of said section; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-two (32), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section four (4), Township three (3) South, Range seventy-nine (79) West; thence southerly to the north-west corner of Section fifteen (15), said township; thence easterly to the north-east corner of Section fourteen (14), said township; thence southerly to the north-west corner of Section twenty-four (24), said township; thence easterly to the north-east corner of the north-west quarter of said section; thence southerly to the north-west corner of the south-east quarter of said section; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the north-west corner of Section thirty-one (31), Township three (3) South, Range seventy-eight (78) West; thence easterly to the north-east corner of the north-west quarter of Section thirty-two (32), said township; thence southerly to the north-west corner of the south-east quarter of said section; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section four (4), Township four (4) South, Range seventy-eight (78) West, thence southerly to the south-east corner of the south-west quarter of Section nine (9), said township; thence easterly to the north-east corner of Section sixteen (16), said township; thence southerly to the north-west corner of Section twenty-seven (27), said township; thence easterly to the north-east corner of the north-west quarter of said section; thence southerly to the south-east corner of the north-west quarter of said section; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the north-west corner of Section eleven (11), Township five (5) South, Range seventy-eight (78) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of the north-west quarter of Section thirteen (13), said township; thence southerly to the south-east corner of the south-west quarter of the north-west quarter of said section; thence easterly to the north-east corner of the south-west quarter of said section; thence southerly to the south-east corner of the south-west quarter of Section twenty-four (24), said township; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-east corner of said township; thence westerly along the First (1st) Cor-

rection Line South to the north-east corner of the north-west quarter of the north-west quarter of Section one (1), Township six (6) South, Range seventy-eight (78) West; thence southerly to the south-east corner of the south-west quarter of the south-west quarter of said section; thence easterly to the north-east corner of the north-west quarter of Section twelve (12), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of the north-west quarter of the north-east quarter of Section thirteen (13), said township; thence southerly to the south-east corner of the south-west quarter of the south-east quarter of said section; thence westerly to the north-east corner of the north-west quarter of Section twenty-four (24), said township; thence southerly to the south-east corner of the south-west quarter of Section one (1), Township seven (7) South, Range seventy-eight (78) West; thence easterly to the south-west corner of Section five (5), Township seven (7) South, Range seventy-seven (77) West; thence northerly to the north-west corner of said section; thence easterly to the south-west corner of Section thirty-three (33), Township six (6) South, Range seventy-seven (77) West; thence northerly to the south-east corner of the north-east quarter of Section twenty (20), said township; thence westerly to the south-west corner of the north-east quarter of Section nineteen (19), said township; thence northerly to the north-west corner of the north-east quarter of Section eighteen (18), said township; thence westerly to the south-west corner of the south-east quarter of the south-west quarter of Section seven (7), said township; thence northerly to the north-west corner of the north-east quarter of the north-west quarter of said section; thence easterly to the south-west corner of the south-east quarter of Section six (6), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly along the First (1st) Correction Line South to the south-west corner of Section thirty-two (32), Township five (5) South, Range seventy-seven (77) West; thence northerly to the north-west corner of Section twenty (20), said township; thence easterly to the north-east corner of said section; thence northerly to the south-east corner of Section eight (8), said township; thence westerly to the south-west corner of the south-east quarter of said section; thence northerly to the north-west corner of the south-east quarter of Section five (5), said township; thence westerly to the south-west corner of the north-west quarter of Section six (6), said township; thence northerly to the south-east corner of the north-east quarter of Section twenty-five (25), Township four (4) South, Range seventy-eight (78) West; thence westerly to the south-west corner of the north-east quarter of said

section; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the south-west corner of Section twenty-four (24), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section fourteen (14), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the south-west corner of Section eleven (11), said township; thence northerly to the south-east corner of the north-east quarter of Section thirty-four (34), Township three (3) South, Range seventy-eight (78) West; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the south-east corner of Section sixteen (16), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of Section nine (9), said township; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the south-east corner of the north-east quarter of Section thirty-six (36), Township two (2), South, Range seventy-nine (79) West; thence westerly to the south-west corner of the north-west quarter of Section thirty-five (35), said township; thence northerly to the south-east corner of the north-east quarter of Section twenty-seven (27), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section twenty-one (21), said township; thence northerly to the north-west corner of the south-east quarter of said section; thence westerly to the south-west corner of the north-east quarter of Section twenty (20), said township; thence northerly to the north-west corner of the south-east quarter of Section five (5), said township; thence westerly to the south-west corner of the north-west quarter of Section six (6), said township; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Township one (1) South, Range seventy-nine (79) West; thence northerly to the north-west corner of Section nineteen (19), said township; thence easterly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-seven (27), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section thirty-two (32), Township one (1) South, Range seventy-eight (78) West; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the south-west corner of Section thirty-five (35), said township; thence northerly to the south-east corner of Section fifteen (15), said township;

thence westerly to the south-west corner of said section; thence northerly to the north-west corner of Section three (3), said township; thence westerly along the Base Line to the south-west corner of Section thirty-four (34), Township one (1) North, Range seventy-eight (78) West; thence northerly to the north-west corner of said section; thence easterly to the south-west corner of the south-east quarter of Section twenty-seven (27), said township; thence northerly to the north-west corner of the north-east quarter of Section twenty-two (22), said township; thence westerly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-west corner of said section, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date thereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Leadville Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 12th day of May, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, enti-

tled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Township twelve (12) South, Range eighty-eight (88) West, Sixth (6th) Principal Meridian, Colorado; thence easterly along the township line to the north-east corner of Township twelve (12) South, Range eighty-three (83) West; thence southerly to the south-east corner of said township; thence easterly to the north-east corner of Township thirteen (13) South, Range eighty-two (82) West; thence southerly to the south-east corner of Township fifteen (15) South, Range eighty-two (82) West; thence easterly along the Third (3rd) Correction Line South to the north-east corner of Township fifty-one (51) North, Range four (4) East, New Mexico Principal Meridian; thence southerly to the south-east corner of said township; thence westerly to the south-west corner of Section thirty-four (34), fractional Township fifty-one (51) North, Range two (2) East; thence northerly to the north-west corner of Section ten (10), said township; thence westerly along the Third (3rd) Correction line South to the south-west corner of Section thirty-five (35), Township fifteen (15) South, Range eighty-four (84) West, Sixth (6th) Principal Meridian; thence northerly to the north-west corner of Section twenty-six (26), said township; thence easterly to the south-west corner of Section twenty (20), Township fifteen (15) South, Range eighty-three (83) West; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the south-east corner of Section five (5), said township; thence westerly to the south-west corner of Section six (6), said township; thence southerly to the south-east corner of Section twelve (12), Township fifteen (15)

South, Range eighty-four (84) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of the north-east quarter of Section fourteen (14), said township; thence westerly to the south-west corner of the north-west quarter of Section fifteen (15), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section eight (8), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Section thirty-six (36), Township fourteen (14) South, Range eighty-five (85) West; thence northerly to the south-east corner of Section twenty-three (23), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-west corner of Section three (3), said township; thence westerly to the south-west corner of Section thirty-six (36), Township thirteen (13) South, Range eighty-six (86) West; thence northerly to the south-east corner of Section fourteen (14), said township; thence westerly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-west corner of said section; thence westerly to the north-east corner of Section eighteen (18), said township; thence southerly to the north-west corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of the north-west quarter of said section; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section thirty-two (32), said township; thence southerly to the north-west corner of Section sixteen (16), Township fourteen (14) South, Range eighty-six (86) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-three (23), said township; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the north-east corner of Section three (3), Township fifteen (15) South, Range eighty-seven (87) West; thence southerly to the north-west corner of Section fourteen (14), said township; thence easterly to the north-east corner of said section; thence southerly to the north-west corner of Section twenty-five (25), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said township; thence easterly along the Third (3rd) Correction Line South to the north-east corner of Township fifty-one (51) North, Range two (2) West, New Mexico Principal Meridian; thence southerly to the

south-east corner of Section thirteen (13), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section eleven (11), Township fifty (50) North, Range two (2) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the north-east corner of Township forty-nine (49) North, Range four (4) West; thence southerly to the south-east corner of Section twelve (12), said township; thence westerly to the south-west corner of Section seven (7), said township; thence southerly to the south-east corner of Section thirteen (13), Township forty-nine (49) North, Range five (5) West; thence westerly to the north-east corner of Section nineteen (19), said township; thence southerly to the south-east corner of said section; thence westerly to the north-east corner of Section twenty-five (25), Township forty-nine (49) North, Range six (6) West; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the south-west corner of Section three (3), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said township; thence northerly to the south-east corner of Section twenty-four (24), Township fifty (50) North, Range six (6) West; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-west corner of Section fifteen (15), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section eleven (11), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section one (1), said township; thence easterly to the north-east corner of said township; thence northerly to the north-east corner of Township fifty-one (51) North, Range six (6) West; thence westerly along the Third (3rd) Correction Line South to the South-west corner of the south-east quarter of Section thirty-four (34), Township fifteen (15) South, Range ninety-one (91) West, Sixth (6th) Principal Meridian; thence northerly to the north-west corner of the south-east quarter of Section twenty-seven (27), said township; thence easterly to the south-west corner of the north-east quarter of Section twenty-six (26), said township; thence northerly to the south-east corner of the south-west quarter of Section fourteen (14), said township; thence westerly to the south-west corner of Section sixteen (16), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section eight (8), said township; thence northerly to the north-west corner of Section five (5), said township;

thence easterly to the south-west corner of the south-east quarter of Section thirty-two (32), Township fourteen (14) South, Range ninety-one (91) West; thence northerly to the north-west corner of the north-east quarter of Section twenty-nine (29), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-one (21), said township; thence easterly to the south-west corner of the south-east quarter of Section fifteen (15), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section eleven (11), said township; thence easterly to the north-east corner of Section twelve (12), said township; thence northerly to the north-west corner of Section thirty (30), Township thirteen (13) South, Range ninety (90) West; thence easterly to the south-west corner of the south-east quarter of Section twenty (20), said township; thence northerly to the north-west corner of the south-east quarter of said section; thence easterly to the north-east corner of the south-east quarter of said section; thence northerly to the north-east corner of said section; thence easterly to the south-west corner of Section fourteen (14), said township; thence northerly to the north-west corner of said section; thence easterly to the south-west corner of the south-east quarter of Section seven (7), Township thirteen (13) South, Range eighty-nine (89) West; thence northerly to the north-west corner of the south-east quarter of said section; thence easterly to the north-east corner of the south-west quarter of Section nine (9), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the south-west corner of Section twelve (12), said township; thence northerly to the north-west corner of the south-west quarter of said section; thence easterly to the north-east corner of the south-east quarter of said section; thence northerly to the north-west corner of Township twelve (12) South, Range eighty-eight (88) West, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this

exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Gunnison Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12th day of May, [SEAL.] in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

By the President: THEODORE ROOSEVELT.

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Montana, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Montana, and within the boundaries particularly described as follows:

Beginning at the south-west corner of Township six (6) North, Range three (3) West, Principal Meridian, Montana; thence northerly to the north-west corner of said township; thence easterly to the south-east corner of Section thirty-three (33), Township seven (7) North, Range three (3) West; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the

south-east corner of Section thirty-four (34), Township eight (8) North, Range three (3) West; thence northerly to the north-west corner of Section two (2), said township; thence easterly along the Second (2nd) Standard Parallel North to the south-east corner of Township nine (9) North, Range three (3) West; thence northerly to the north-west corner of Section nineteen (19), Township nine (9) North, Range two (2) West; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the south-west corner of Township nine (9) North, Range one (1) West; thence easterly along the Second (2nd) Standard Parallel North to the north-east corner of Section four (4), Township eight (8) North, Range one (1) West; thence southerly to the south-west corner of Section fifteen (15), said township; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the south-east corner of Township six (6) North, Range one (1) West; thence westerly to the south-west corner of Township six (6) North, Range three (3) West, the place of beginning; such of the above named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Elkhorn Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12th day of May,
[SEAL.] in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

By the President:

THEODORE ROOSEVELT.

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the States of Oregon and Washington, with the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the States of Oregon and Washington, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Township nine (9) North, Range forty-one (41) East, Willamette Meridian, Washington; thence easterly to the north-west corner of Township nine (9) North, Range forty-three (43) East; thence southerly to the south-west corner of Section seven (7), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the north-east corner of Section thirty-six (36), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly along the Second (2nd) Standard Parallel North to the north-east corner of Section six (6), Township eight (8) North, Range forty-four (44) East; thence southerly to the north-west corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-east corner of Section eleven (11), Township seven (7) North, Range forty-four (44) East; thence westerly to the south-west corner of Section seven (7), said township; thence southerly to the north-east corner of Section twenty-four (24), Township seven (7) North, Range forty-three (43) East; thence westerly to the north-west corner of said section; thence south-

erly to the south-east corner of Section twenty-six (26), said township; thence westerly to the north-west corner of Section thirty-two (32), said township; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of said township; thence southerly along the range line, allowing for the proper offset on the State Line between the States of Washington and Oregon, to the south-east corner of Section twelve (12), Township five (5) North, Range forty-two (42) East, Willamette Meridian, Oregon; thence westerly to the north-east corner of Section seventeen (17) said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section nineteen (19), said township; thence westerly to the south-west corner of said section; thence southerly along the range line, allowing for the proper offset on the First (1st) Standard Parallel North, to the south-east corner of Section one (1), Township four (4) North, Range forty-one (41) East; thence westerly to the north-east corner of Section eight (8), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section seven (7), said township; thence southerly to the south-east corner of Section one (1), Township three (3) North, Range forty (40) East; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the south-east corner of Section twenty-five (25), Township four (4) North, Range thirty-nine (39) East; thence westerly to the south-west corner of Section twenty-six (26), said township; thence southerly to the south-east corner of Section three (3), Township three (3) North, Range thirty-nine (39) East; thence westerly to the south-west corner of Section four (4), said township; thence southerly to the north-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the north-east corner of Township two (2) North, Range thirty-eight (38) East; thence southerly to the south-east corner of Section twelve (12), said township; thence westerly to the south-west corner of said section; thence southerly to the north-west corner of Section one (1), Township one (1) North, Range thirty-eight (38) East; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section five (5), said township; thence southerly to the south-east corner of Section thirty-one (31), said township; thence easterly along the Base Line to the north-east corner of Section five (5), Township one (1) South, Range thirty-eight (38) East; thence southerly to the south-east corner of Section five (5), Township two (2) South, Range thirty-eight (38)

East; thence westerly to the south-west corner of Section three (3), Township two (2) South, Range thirty-seven (37) East; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty-three (33), Township one (1) South, Range thirty-seven (37) East; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty (30), said township; thence northerly along the range line, allowing for the proper offsets, to the north-west corner of Township three (3) North, Range thirty-seven (37) East; thence easterly to the north-east corner of said township; thence northerly along the range line, allowing for the proper offset on the First (1st) Standard Parallel North, to the north-west corner of Section thirty (30), Township five (5) North, Range thirty-eight (38) East; thence easterly to the south-west corner of Section twenty-one (21), said township; thence northerly along the section lines, allowing for the proper offsets, to the north-west corner of Section twenty-eight (28), Township six (6) North, Range thirty-eight (38) East; thence easterly to the north-east corner of said section; thence northerly along the section lines, allowing for the proper offset on the State Line between the States of Oregon and Washington, to the north-west corner of Section ten (10), said township, in Washington; thence easterly to the south-west corner of Section one (1), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said township; thence northerly to the south-west corner of Section nineteen (19), Township seven (7) North, Range thirty-nine (39) East; thence easterly to the south-east corner of said section; thence northerly to the north-west corner of Section seventeen (17), said township; thence easterly to the north-east corner of Section sixteen (16), said township; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-west corner of Township eight (8) North, Range forty (40) East; thence northerly to the north-west corner of Section nineteen (19), said township; thence easterly to the north-east corner of Section twenty-one (21), said township; thence northerly to the north-east corner of Section four (4), said township; thence westerly along the Second (2nd) Standard Parallel North to the south-west corner of Section thirty-three (33), Township nine (9) North, Range forty (40) East; thence northerly to the north-west corner of said section; thence easterly to the south-west corner of Section twenty-seven (27), said township; thence northerly to the north-west corner of said section; thence easterly to the south-east corner of Section twenty-three (23), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the north-west corner of

Township nine (9) North, Range forty-one (41) East, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Wenaha Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12th day of May, in
[SEAL.] the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, The Pikes Peak Timber Land Reserve, The Plum Creek Timber Land Reserve and the South Platte Forest Reserve, in the State of Colorado, have been heretofore established by proclamations, under the provisions of the acts of March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", and June fourth, eighteen hundred and ninety-seven, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes";

And whereas, it appears proper that the greater portion of the area

embraced in said forest reserves, with the addition thereto of certain lands, should be included in one reserve and be designated by one name; and it appears that the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and that the public good would be promoted by setting apart and reserving the same as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power vested in me by the aforesaid acts of Congress, do hereby make known and proclaim that the proclamations heretofore issued respecting said forest reserves are hereby superseded, and The Pikes Peak Forest Reserve is hereby established in place thereof, with boundaries as follows:

Beginning at the north-west corner of Section nineteen (19), Township two (2) South, Range seventy-four (74) West, Sixth (6th) Principal Meridian, Colorado; thence easterly to the south-west corner of Section sixteen (16), said township; thence northerly to the north-west corner of the south-west quarter of said section; thence easterly to the north-east corner of the south-east quarter of Section thirteen (13), Township two (2) South, Range seventy-three (73) West; thence southerly to the south-east corner of Section twenty-five (25), said township; thence westerly to the north-east corner of Section thirty-four (34), said township; thence southerly to the south-east corner of Section fifteen (15), Township three (3) South, Range seventy-three (73) West; thence westerly to the north-east corner of Section twenty (20), Township three (3) South, Range seventy-four (74) West; thence southerly to the south-east corner of the north-east quarter of said section; thence westerly to the north-east corner of the south-east quarter of Section nineteen (19), said township; thence southerly to the south-east corner of the north-east quarter of Section eighteen (18), Township four (4) South, Range seventy-four (74) West; thence westerly to the south-east corner of the north-east quarter of Section seventeen (17), Township four (4) South, Range seventy-five (75) West; thence southerly to the north-east corner of the south-east quarter of Section twenty (20), said township; thence easterly to the north-east corner of the south-east quarter of Section nineteen (19), Township four (4) South, Range seventy-four (74) West; thence southerly to the south-east corner of said section; thence easterly to the south-west corner of Section twenty-one (21), said township; thence northerly to the north-west corner of Section nine (9), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the north-east corner of said township; thence southerly to the south-east corner of Section thirteen (13), said township; thence westerly to the north-east corner of the north-

west quarter of Section twenty-four (24), said township; thence southerly to the north-west corner of the south-east quarter of Section thirty-six (36), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-east corner of said township; thence easterly to the south-west corner of the south-east quarter of Section thirty-two (32), Township four (4) South, Range seventy-three (73) West; thence northerly to the north-west corner of the south-east quarter of said section; thence easterly to the south-west corner of the north-west quarter of Section thirty-four (34), said township; thence northerly to the north-west corner of Section twenty-seven (27), said township; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-east corner of said township; thence westerly to the north-east corner of Section two (2), Township five (5) South, Range seventy-three (73) West; thence southerly to the south-east corner of Section eleven (11), said township; thence westerly to the north-east corner of the north-west quarter of Section fifteen (15), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section twenty-three (23), said township; thence southerly to the north-west corner of Section twenty-five (25), said township; thence easterly to the north-east corner of said section; thence southerly to the north-west corner of the south-west quarter of Section thirty (30), Township five (5) South, Range seventy-two (72) West; thence easterly to the north-east corner of the south-east quarter of Section twenty-eight (28), said township; thence southerly along the section lines, allowing for the proper offset on the First (1st) Correction Line South, to the south-east corner of Section nine (9), Township six (6) South, Range seventy-two (72) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of the north-east quarter of Section twenty (20), said township; thence westerly to the south-west corner of lot two (2) of fractional Section nineteen (19), said township; thence northerly to the south-east corner of Section thirteen (13), Township six (6) South, Range seventy-three (73) West; thence westerly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-east corner of the north-east quarter of said section; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the north-west corner of the south-west quarter of Section twenty-seven (27), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-east corner of Section thirty-four (34), said township; thence easterly to the north-east corner of Township seven (7) South, Range seventy-three (73) West; thence southerly to the

south-west corner of lot two (2) of fractional Section thirty (30), Township seven (7) South, Range seventy-two (72) West; thence easterly to the north-east corner of the south-east quarter of Section twenty-nine (29), said township; thence southerly to the south-east corner of said section; thence easterly to the south-west corner of Section twenty-nine (29), Township seven (7) South, Range seventy (70) West; thence northerly to the north-west corner of the south-west quarter of said section; thence easterly to the north-east corner of the south-west quarter of said section; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-east corner of said section; thence easterly to the south-west corner of Section thirty (30), Township seven (7) South, Range sixty-nine (69) West; thence northerly to the north-west corner of the south-west quarter of said section; thence easterly to the north-east corner of the south-east quarter of said section; thence northerly to the north-west corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the north-east corner of said township; thence southerly to the south-east corner of Township eight (8) South, Range sixty-nine (69) West; thence easterly to the north-east corner of the north-west quarter of Section five (5), Township nine (9) South, Range sixty-eight (68) West; thence southerly to the south-east corner of the north-west quarter of Section seventeen (17), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of the south-east quarter of said section; thence southerly to the south-east corner of the north-west quarter of Section twenty-eight (28), said township; thence easterly to the north-east corner of the south-west quarter of Section twenty-seven (27), said township; thence southerly to the south-east corner of the south-west quarter of Section thirty-four (34), said township; thence easterly to the north-east corner of Township ten (10) South, Range sixty-eight (68) West; thence southerly to the south-east corner of said township; thence easterly along the Second (2nd) Correction Line South to the north-east corner of Section four (4), Township eleven (11) South, Range sixty-seven (67) West;

thence southerly to the south-east corner of Section thirty-three (33), Township thirteen (13) South, Range sixty-seven (67) West; thence westerly to the north-east corner of Township fourteen (14) South, Range sixty-eight (68) West; thence southerly to the north-west corner of Section nineteen (19), Township fourteen (14) South, Range sixty-seven (67) West; thence easterly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-east corner of Section thirty-three (33), said township; thence easterly to the north-east corner of Section three (3), Township fifteen (15) South, Range sixty-seven (67) West; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly along the Third (3rd) Correction Line South, to the south-west corner of Township fifteen (15) South, Range sixty-eight (68) West; thence northerly to the north-west corner of said township; thence westerly to the south-east corner of Section thirty-four (34), Township fourteen (14) South, Range sixty-nine (69) West; thence northerly to the south-east corner of the north-east quarter of said section; thence westerly to the south-west corner of the north-east quarter of said section; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the south-west corner of the south-east quarter of Section thirty-three (33), said township; thence northerly to the north-west corner of the south-east quarter of said section; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the south-east corner of Section twenty-one (21), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section seventeen (17), said township; thence northerly to the south-east corner of the north-west quarter of Section eight (8), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-east corner of the south-east quarter of Section six (6), said township; thence westerly to the north-west corner of the south-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of Township thirteen (13) South, Range sixty-nine (69) West; thence northerly to the north-west corner of Section nineteen (19), said township; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the north-east corner of Township eleven (11) South, Range sixty-nine (69) West; thence westerly along the Second (2nd) Correction Line South to the north-east corner of Section five (5), said township; thence southerly to the south-west corner of Section twenty-one (21), said township; thence easterly to the south-east corner of said section; thence southerly to the south-

west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of the north-west quarter of Section three (3), Township twelve (12) South, Range sixty-nine (69) West; thence southerly to the south-east corner of the south-west quarter of Section fifteen (15), said township; thence westerly to the south-west corner of Section seventeen (17), said township; thence northerly to the north-west corner of said section; thence westerly to the north-east corner of Section thirteen (13), Township twelve (12) South, Range seventy (70) West; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of the south-east quarter of said section; thence southerly to the south-east corner of the north-west quarter of Section twenty-four (24), said township; thence westerly to the south-west corner of the north-east quarter of Section twenty-three (23), said township; thence southerly to the south-east corner of the north-west quarter of Section twenty-six (26), said township; thence westerly to the south-west corner of the north-west quarter of Section twenty-seven (27), said township; thence northerly to the south-east corner of Section twenty-one (21), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section seventeen (17), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the north-west corner of Section fifteen (15), Township twelve (12) South, Range seventy-one (71) West; thence southerly to the south-east corner of Section thirty-three (33), Township thirteen (13) South, Range seventy-one (71) West; thence westerly to the north-west corner of Township fourteen (14) South, Range seventy-one (71) West; thence southerly to the south-east corner of Section one (1), Township fourteen (14) South, Range seventy-two (72) West; thence westerly to the north-east corner of Section eight (8), said township; thence southerly to the south-east corner of the north-east quarter of Section seventeen (17), said township; thence westerly to the north-east corner of the south-east quarter of Section thirteen (13), Township fourteen (14) South, Range seventy-three (73) West; thence southerly to the south-east corner of Section twenty-four (24), said township; thence westerly to the north-east corner of the north-west quarter of Section twenty-eight (28), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirteen (13), Township fourteen

(14) South, Range seventy-four (74) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section eleven (11), said township; thence southerly to the south-east corner of the north-east quarter of Section twenty-seven (27), said township; thence easterly to the north-east corner of the south-west quarter of Section twenty-five (25), said township; thence southerly to the south-east corner of the north-west quarter of Section thirty-six (36), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the south-east corner of the north-east quarter of Section two (2), Township fifteen (15) South, Range seventy-four (74) West; thence westerly to the north-east corner of the south-east quarter of Section four (4), said township; thence southerly to the north-west corner of the south-west quarter of Section ten (10), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-east corner of the north-east quarter of Section fifteen (15), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the north-west corner of Section twenty-seven (27), said township; thence easterly to the north-east corner of said section; thence southerly along the section lines, allowing for the proper offset on the Third (3rd) Correction Line South, to the south-east corner of the north-east quarter of Section nine (9), Township fifty-one (51) North, Range twelve (12) East, New Mexico Principal Meridian; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the south-east corner of Section eight (8), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of the north-east quarter of Section eighteen (18), said township; thence westerly to the north-east corner of the south-east quarter of Section fourteen (14), Township fifty-one (51) North, Range eleven (11) East; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section nine (9), said township; thence northerly along the section lines to the point of intersection with the Third (3rd) Correction Line South; thence westerly along said Correction Line to the south-west corner of the south-east quarter of Section thirty-one (31), Township fifteen (15) South, Range seventy-five (75) West, Sixth (6th) Principal Meridian; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of the south-west quarter of Section twenty-nine (29), said township; thence easterly to the north-east corner of the south-east quarter of

Section twenty-seven (27), said township; thence southerly to the north-east corner of the south-east quarter of the south-east quarter of said section; thence easterly to the north-west corner of the south-west quarter of the south-west quarter of Section twenty-five (25), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the south-east corner of the north-east quarter of Section twenty-four (24), said township; thence westerly to the south-west corner of the north-west quarter of Section twenty-three (23), said township; thence northerly to the south-east corner of Section three (3), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said township; thence northerly to the north-west corner of Section nineteen (19), Township fourteen (14) South, Range seventy-four (74) West; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of the south-west quarter of Section five (5), said township; thence easterly to the north-east corner of the south-east quarter of Section one (1), said township; thence northerly to the north-west corner of the south-west quarter of Section six (6), Township thirteen (13) South, Range seventy-three (73) West; thence easterly to the north-east corner of the south-west quarter of Section five (5), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-east corner of the north-east quarter of said section; thence easterly to the north-east corner of the south-west quarter of Section ten (10), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of the north-west quarter of Section fourteen (14), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section twenty-four (24), said township; thence northerly to the south-east corner of the north-east quarter of Section twelve (12), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section two (2), said township; thence northerly to the north-west corner of the south-east quarter of said section; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-west corner of said section; thence easterly to the south-west corner of Section thirty-six (36), Township twelve (12) South, Range seventy-three (73) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the

south-east quarter of Section twenty-six (26), said township; thence northerly to the south-east corner of the south-west quarter of Section fourteen (14), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of the north-east quarter of Section twenty-two (22), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-west corner of Section ten (10), said township; thence easterly to the south-west corner of the south-east quarter of Section three (3), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the south-west corner of Section thirty-four (34), Township eleven (11) South, Range seventy-three (73) West; thence northerly to the south-east corner of the north-east quarter of Section thirty-three (33), said township; thence westerly to the south-west corner of the north-east quarter of said section; thence northerly to the south-east corner of the south-west quarter of Section twenty-one (21), said township; thence westerly to the south-west corner of Section twenty (20), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section eighteen (18), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the north-east corner of Section thirteen (13), Township eleven (11) South, Range seventy-four (74) West; thence southerly to the south-east corner of the north-east quarter of said section; thence westerly to the south-west corner of the north-west quarter of Section fourteen (14), said township; thence northerly to the south-west corner of the north-west quarter of Section eleven (11), said township; thence westerly to the south-west corner of the north-east quarter of Section ten (10), said township; thence northerly along the quarter-section lines, allowing for the proper offset on the Second (2nd) Correction Line South, to the north-west corner of the south-east quarter of Section thirty-four (34), Township ten (10) South, Range seventy-four (74) West; thence easterly to the north-east corner of the south-east quarter of said section; thence northerly to the south-east corner of Section ten (10), said township; thence westerly to the south-west corner of the south-east quarter of said section; thence northerly to the north-west corner of the north-east quarter of Section three (3), said township; thence westerly to the north-east corner of the north-west quarter of Section four (4), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the north-east corner of Section eight (8), said township; thence southerly to the south-east corner of the north-east quarter of said section; thence westerly to the south-west corner of the north-east quarter of said section; thence southerly to the

south-east corner of the south-west quarter of said section; thence westerly to the south-west corner of Section seven (7), said township; thence northerly to the north-east corner of Township nine (9) South, Range seventy-five (75) West; thence westerly to the south-west corner of Section thirty-five (35), Township eight (8) South, Range seventy-five (75) West; thence northerly to the north-west corner of Section thirty-five (35), Township seven (7) South, Range seventy-five (75) West; thence westerly to the north-east corner of Section thirty-three (33), Township seven (7) South, Range seventy-six (76) West; thence southerly to the south-east corner of Section sixteen (16), Township eight (8) South, Range seventy-six (76) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty-nine (29), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty-one (31), said township; thence westerly to the south-west corner of said township; thence southerly to the south-east corner of Section one (1), Township nine (9) South, Range seventy-seven (77) West; thence westerly to the south-west corner of Section two (2), said township; thence southerly to the south-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence southerly along the range line, allowing for the proper offset on the Second (2nd) Correction Line South, to the north-west corner of Section thirty (30), Township eleven (11) South, Range seventy-seven (77) West; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-four (34), said township; thence southerly to the south-east corner of Section twenty-seven (27), Township twelve (12) South, Range seventy-seven (77) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section four (4), Township thirteen (13) South, Range seventy-seven (77) West; thence easterly to the north-east corner of the north-west quarter of Section eleven (11), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section seventeen (17), Township thirteen (13) South, Range seventy-six (76) West; thence southerly to the south-east corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of the north-west quarter of Section thirty-three (33), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section four (4), Township fourteen (14) South, Range seventy-six (76) West; thence southerly

to the south-east corner of said section; thence easterly to the north-east corner of Section ten (10), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section fourteen (14), said township; thence southerly to the south-east corner of Section twenty-three (23), said township; thence easterly to the north-east corner of the north-west quarter of Section twenty-five (25), said township; thence southerly to the south-east corner* of the north-west quarter of Section one (1), Township fifteen (15) South, Range seventy-six (76) West; thence westerly to the north-east corner of the south-east quarter of Section two (2), said township; thence southerly to the south-east corner of said section; thence westerly to the north-east corner of the north-west quarter of Section ten (10), said township; thence southerly to the south-east corner of the north-west quarter of said section; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the south-east corner of Section sixteen (16), said township; thence westerly to the south-west corner of said section; thence southerly to the north-west corner of Section twenty-eight (28), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the south-west corner of said township; thence northerly to the south-east corner of Township thirteen (13) South, Range seventy-seven (77) West; thence westerly to the south-west corner of Section thirty-four (34), said township; thence northerly to the north-west corner of Section twenty-two (22), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the south-east corner of Township twelve (12) South, Range seventy-eight (78) West; thence westerly to the south-west corner of the south-east quarter of Section thirty-four (34), said township; thence northerly to the north-west corner of the north-east quarter of Section twenty-two (22), said township; thence westerly to the south-west corner of Section thirteen (13), Township twelve (12) South, Range seventy-nine (79) West; thence northerly along the section lines, allowing for the proper offset on the Second (2nd) Correction Line South, to the south-west corner of Section thirty-six (36), Township eight (8) South, Range seventy-nine (79) West; thence easterly to the south-east corner of said township; thence northerly to the north-west corner of Township eight (8) South, Range seventy-eight (78) West; thence easterly to the south-west corner of Section thirty-four (34), Township seven (7) South, Range seventy-seven (77) West; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of Section thirty-five (35), said township; thence northerly to the

north-west corner of Section one (1), said township; thence easterly to the south-west corner of Section thirty-four (34), Township six (6) South, Range seventy-six (76) West; thence northerly to the north-west corner of Section three (3), said township; thence easterly along the First (1st) Correction Line South, to the south-east corner of Township five (5) South, Range seventy-six (76) West; thence northerly to the north-east corner of said township; thence westerly to the south-west corner of Section thirty-four (34) Township four (4) South, Range seventy-six (76) West; thence northerly to the north-west corner of Section three (3), Township three (3) South, Range seventy-six (76) West; thence easterly to the south-west corner of Township two (2) South, Range seventy-four (74) West; thence northerly to the north-west corner of Section nineteen (19), said township, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, That this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made;

Provided further, That nothing herein shall give any force or effect to any claim or right to any of the lands heretofore embraced within the reserves hereby consolidated which would not have been entitled to recognition if said reserves as heretofore established had been continued in force without being merged into a single reserve as hereinbefore provided.

The lands hereby excluded from the reserve and restored to the public domain, shall be open to settlement from the date hereof, but shall not be subject to entry, filing or selection until after ninety days' notice by such publication as the Secretary of the Interior may prescribe.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12th day of May, in
[SEAL.] the year of our Lord one thousand nine hundred and five,

and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President :

FRANCIS B. LOOMIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, satisfactory proof has been given to me by the Government of the Republic of Panama that no discriminating duties of tonnage or imposts are imposed or levied in the ports of that Republic upon vessels wholly belonging to citizens of the United States or upon the produce, manufactures, or merchandise imported in such vessels from the United States, or from any foreign country ;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the authority vested in me by section four thousand two hundred and twenty-eight of the Revised Statutes of the United States, do hereby declare and proclaim that, the foreign discriminating duties of tonnage and imposts within the United States are suspended and discontinued so far as respects the vessels of the Republic of Panama, and the produce, manufactures, or merchandise imported into the United States from the Republic of Panama, or from any other foreign country ; the suspension to take effect on and after the date of this proclamation and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, shall be continued, and no longer.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington, the 15th day of May, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President :

FRANCIS B. LOOMIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, by Executive Order dated December 27, 1875, Sections 5 and 6, township 15 south, range 2 east, San Bernardino Meridian, California, were with certain other tracts of land withdrawn from the public domain and reserved for the use of the Capitan Grande Band or Village of Mission Indians; and

Whereas, the Commission appointed under the provisions of the Act of Congress approved January 12, 1891, entitled "An Act for the relief of the Mission Indians in the State of California," (U. S. Statutes at Large, vol. 26, page 712) selected for the said Capitan Grande band or village of Indians certain tracts of land and intentionally omitted and excluded from such selection the said sections 5 and 6, township 15 south, range 2 east; and

Whereas, the report and recommendations of the said Commission were approved by Executive Order dated December 29, 1891, which Order also directed that "All of the lands mentioned in said report are hereby withdrawn from settlement and entry until patents shall have issued for said selected reservations, and until the recommendations of said Commission shall be fully executed, and, by the proclamation of the President of the United States, the lands or any part thereof shall be restored to the public domain;" and

Whereas, a patent was issued March 10, 1894, to the said Indians for the lands selected by the Commission as aforesaid and which patent also excluded the said Sections 5 and 6, township 15 south, range 2 east; and

Whereas, it appears that on the 10th day of March, 1895, Joseph J. Henderson entered upon the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, Section 5, township 15 south, range 2 east, San Bernardino Meridian, for the purpose of taking the land under the homestead law, and cannot make the requisite filings on the land occupied by him until it shall have been formally restored to the public domain, and that no good reason appears to exist for the further reservation of said Sections 5 and 6 for the said band of Indians;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested, do hereby declare and make known that Executive Orders dated December 27, 1875, and December 29, 1891, are so far modified as to except from their provisions Sections 5 and 6, of township 15 south, range 2 east, San Bernardino Meridian, and the said sections are hereby restored to the public domain.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 15th day of May, in
[SEAL.] the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, The Medicine Bow Forest Reserve, in the State of Wyoming, was established by proclamation dated May twenty-second, nineteen hundred and two, under and by virtue of section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", which provides, "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", that "the President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve"; under which provision the boundary lines of the said forest reserve were changed and enlarged by proclamation dated July sixteenth, nineteen hundred and two;

And whereas, it appears that the public good would be promoted by including within the said forest reserve certain additional lands in the State of Colorado which are in part covered with timber;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power vested in me by the aforesaid act of Congress, approved June fourth, eighteen hundred and ninety-seven, do hereby make known and proclaim that the boundary lines of the

aforesaid Medicine Bow Forest Reserve are hereby further modified so as to read as follows:

Beginning at the north-west corner of Township seventeen (17) North, Range eighty-one (81) West, Sixth (6th) Principal Meridian, Wyoming; thence easterly to the north-east corner of said township; thence southerly to the north-west corner of Section thirty (30), Township seventeen (17) North, Range eighty (80) West; thence easterly to the north-east corner of Section twenty-five (25), said township; thence northerly to the north-west corner of Township seventeen (17) North, Range seventy-nine (79) West; thence easterly to the north-east corner of Section five (5), Township seventeen (17) North, Range seventy-eight (78) West; thence southerly along the section lines, allowing for the proper offset on the Fourth (4th) Standard Parallel North, to the south-east corner of Section thirty-two (32), Township fourteen (14) North, Range seventy-eight (78) West; thence easterly to the north-east corner of Section four (4), Township thirteen (13) North, Range seventy-seven (77) West; thence southerly along the section lines, allowing for the proper offset on the Third (3rd) Standard Parallel North, to the point of intersection with the boundary line between the States of Wyoming and Colorado; thence westerly along said state boundary line to the point of intersection with the range line between Ranges seventy-seven (77) and seventy-eight (78) West; thence southerly to the north-west corner of Township eleven (11) North, Range seventy-seven (77) West; Sixth (6th) Principal Meridian, Colorado; thence easterly to the north-east corner of Section six (6), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section eight (8), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section sixteen (16), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-west corner of Section thirty-six (36), said township; thence easterly to the north-east corner of Section six (6), Township ten (10) North, Range seventy-six (76) West; thence southerly to the south-west corner of Section seventeen (17), said township; thence easterly to the north-west corner of Section twenty-three (23), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence northerly to the north-west corner of Section one (1), said township; thence easterly to the south-east corner of Section thirty-one (31), Township eleven (11) North, Range seventy-five (75) West; thence northerly to the north-east corner of

said section; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-east corner of said township; thence easterly to the north-east corner of Section five (5), Township ten (10) North, Range seventy-four (74) West; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section fourteen (14), said township; thence southerly to the south-west corner of Section twenty-five (25), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section six (6), Township nine (9) North, Range seventy-three (73) West; thence easterly to the north-east corner of Section eight (8), said township; thence southerly to the south-west corner of Section thirty-three (33), said township; thence easterly along the Second (2nd) Correction Line North to the north-west corner of Section one (1), Township eight (8) North, Range seventy-two (72) West; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of said township; thence westerly to the north-west corner of the north-east quarter of Section two (2), Township seven (7) North, Range seventy-two (72) West; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the north-west corner of Section ten (10), said township; thence southerly to the south-west corner of Section twenty-two (22), said township; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-east corner of Section eleven (11), Township six (6) North, Range seventy-two (72) West; thence westerly to the north-west corner of Section fifteen (15), said township; thence southerly to the south-east corner of Section twenty-one (21), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty-nine (29), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty-one (31), said township; thence westerly to the north-west corner of Section two (2), Township five (5) North, Range seventy-three (73) West; thence southerly to the south-east corner of Section ten (10), said township; thence westerly to the north-west corner of Section eighteen (18), said township; thence southerly along the range line, allowing for the proper offset on the First (1st) Correction Line North, to the south-west corner of Section six (6), Township four (4) North, Range seventy-three (73) West; thence easterly to the north-west corner of Section nine (9), said township; thence southerly to the south-west corner of said section; thence easterly to the

south-east corner of said section; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the south-east corner of said section; thence southerly to the north-west corner of Section two (2), Township two (2) North, Range seventy-three (73) West; thence easterly to the north-east corner of said township; thence southerly to the south-east corner of Section twenty-five (25), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section eleven (11), Township one (1) North, Range seventy-three (73) West; thence westerly to the south-west corner of Section eight (8), Township one (1) North, Range seventy-four (74) West; thence northerly to the south-east corner of Section thirty (30), Township two (2) North, Range seventy-four (74) West; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section twenty-three (23), Township two (2) North, Range seventy-five (75) West; thence northerly to the north-east corner of Section fifteen (15), said township; thence westerly to the south-east corner of Section seven (7), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section thirty (30), Township three (3) North, Range seventy-five (75) West; thence easterly to the north-east corner of the north-west quarter of said section; thence northerly to the north-west corner of the south-east quarter of Section seven (7), said township; thence easterly to the south-east corner of the north-west quarter of Section nine (9), said township; thence northerly to the north-east corner of the north-west quarter of Section four (4), said township; thence westerly to the south-west corner of the south-east quarter of Section thirty-one (31), Township four (4) North, Range seventy-five (75) West; thence northerly to the north-east corner of the south-west quarter of Section nineteen (19), said township; thence westerly to the north-west corner of the south-west quarter of said section; thence northerly along the range line, allowing for the proper offset on the First (1st) Correction Line North, to the north-east corner of Section twenty-five (25), Township five (5) North, Range seventy-six (76) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of Section thirty-six (36), said township; thence westerly along the First (1st) Correction Line North to the north-west corner of the north-east quarter of Section two (2), Township four (4) North, Range seventy-six (76) West; thence southerly to the south-west corner of the south-east quarter of Section eleven (11), said township; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of Section twenty-six (26), said township;

thence westerly to the south-east corner of the south-west quarter of said section; thence southerly to the south-east corner of the south-west quarter of Section two (2), Township three (3) North, Range seventy-six (76) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section fifteen (15), said township; thence westerly to the north-east corner of Section twenty-three (23), Township three (3) North, Range seventy-seven (77) West; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-west corner of said section; thence westerly to the north-west corner of Section twenty (20), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of Section thirty-two (32), said township; thence westerly to the north-east corner of Township two (2) North, Range seventy-eight (78) West; thence southerly to the south-east corner of Section one (1), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section eleven (11), said township; thence westerly to the north-west corner of Section fifteen (15), said township; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section nine (9), Township two (2) North, Range seventy-nine (79) West; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the south-west corner of Section thirty-two (32), Township three (3) North, Range seventy-nine (79) West; thence northerly to the south-east corner of Section six (6), said township; thence westerly to the south-west corner of said section; thence northerly to the north-east corner of Section twenty-four (24), Township four (4) North, Range eighty (80) West; thence westerly to the south-west corner of Section fourteen (14), Township four (4) North, Range eighty-one (81) West; thence northerly to the south-east corner of Section three (3), said township; thence westerly to the south-west corner of said section; thence northerly along the section lines, allowing for the proper offset on the First (1st) Correction Line North, to the north-west corner of Section twenty-two (22), Township five (5) North, Range eighty-one (81) West; thence easterly to the south-west corner of Section thirteen (13), said township; thence northerly to the north-west corner of said section; thence easterly to the south-east corner of Section eight (8), Township five (5) North, Range eighty (80) West; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the north-west corner of Township five (5) North, Range

seventy-eight (78) West; thence southerly to the south-west corner of Section six (6), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of the north-west quarter of Section seventeen (17), said township; thence easterly to the south-east corner of the north-east quarter of Section fifteen (15), said township; thence northerly to the north-west corner of Section eleven (11), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section thirteen (13), said township; thence southerly to the south-east corner of the north-west quarter of said section; thence easterly to the south-east corner of the north-east quarter of Section eighteen (18), Township five (5) North, Range seventy-seven (77) West; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the south-east corner of the north-east quarter of Section one (1), Township five (5) North, Range seventy-eight (78) West; thence westerly to the south-west corner of the north-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of Section twenty-five (25), Township six (6) North, Range seventy-eight (78) West; thence westerly to the south-west corner of the south-east quarter of Section twenty-three (23), said township; thence northerly to the north-west corner of the north-east quarter of Section eleven (11), said township; thence easterly to the south-east corner of Section one (1), said township; thence northerly to the north-west corner of Township six (6) North, Range seventy-seven (77) West; thence easterly to the north-east corner of Section five (5), said township; thence southerly to the south-east corner of the north-east quarter of said section; thence easterly to the south-east corner of the north-east quarter of Section three (3), said township; thence northerly to the north-east corner of Section thirty-four (34), Township seven (7) North, Range seventy-seven (77) West; thence westerly to the south-west corner of the south-east quarter of Section twenty-eight (28), said township; thence northerly to the north-west corner of the north-east quarter of Section sixteen (16), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section three (3), Township eight (8) North, Range seventy-seven (77) West; thence easterly along the second (2nd) Correction Line North to the south-east corner of the south-west quarter of Section thirty-four (34), Township nine (9) North, Range seventy-seven (77) West; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of Section twenty-seven (27), said township; thence northerly to the north-west corner of said section; thence westerly to the south-

west corner of the south-east quarter of Section twenty-one (21), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the north-west corner of said section; thence northerly to the south-east corner of Section eight (8), said township; thence westerly to the south-west corner of the south-east quarter of said section; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the south-east corner of Section six (6), said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of Section thirty-six (36), Township ten (10) North, Range seventy-eight (78) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section twenty-six (26), said township; thence northerly to the north-east corner of Section twenty-two (22), said township; thence westerly to the south-west corner of Section sixteen (16), said township; thence northerly to the south-east corner of Section eight (8), said township; thence westerly to the south-west corner of said section; thence northerly to the north-east corner of Section six (6), said township; thence westerly to the south-west corner of Section thirty-six (36), Township eleven (11) North, Range seventy-nine (79) West; thence northerly to the north-east corner of Section thirty-five (35), Township twelve (12) North, Range seventy-nine (79) West; thence westerly to the north-west corner of said section; thence southerly to the south-east corner of Section ten (10), Township eleven (11) North, Range seventy-nine (79) West; thence westerly to the north-east corner of Section eighteen (18), said township; thence southerly to the south-east corner of the north-east quarter of said section; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section twelve (12), Township eleven (11) North, Range eighty (80) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section two (2), said township; thence northerly along the section lines to the point of intersection with the boundary line between the States of Colorado and Wyoming; thence westerly along said state boundary line to the point of intersection with the range line between Ranges eighty (80) and eighty-one (81) West; thence northerly along said range line, allowing for the proper offset on the Third (3rd) Standard Parallel North, to the south-east corner of Township fourteen (14) North, Range eighty-one (81) West, Sixth (6th) Principal Meridian, Wyoming; thence westerly to the south-west corner of said township; thence northerly along the range line, allowing for the proper offset on the Fourth (4th) Standard Parallel North, to the

north-west corner of Township seventeen (17) North, Range eighty-one (81) West, the place of beginning;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 17th day of May, in
[SEAL.] the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, the Bitter Root Forest Reserve, in the States of Idaho and Montana, was established by proclamation dated February twenty-second, eighteen hundred and ninety-seven, under and by virtue of section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," which provides, "That the President of the United States, may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-

eight, and for other purposes", that "the President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve"; under which provision the boundary lines of the said forest reserve were changed and the area reduced by proclamation dated June fourteenth, nineteen hundred and four;

And whereas, it appears that the public good would be promoted by further releasing and excluding lands from the said forest reserve, and by including therein additional lands which are in part covered with timber;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power vested in me by the aforesaid act of Congress, approved June fourth, eighteen hundred and ninety-seven, do hereby make known and proclaim that the boundary lines of the aforesaid Bitter Root Forest Reserve are hereby further modified so as to read as follows:

Beginning at the north-east corner of Township thirty-six (36) North, Range five (5) East, Boise Base and Meridian, Idaho; thence southerly, allowing for the proper offset on the Sixth and one-half ($6\frac{1}{2}$) Standard Parallel North, to the north-east corner of Township thirty-one (31) North, Range five (5) East; thence westerly to the north-east corner of Section four (4), said township; thence southerly to the north-east corner of Section twenty-one (21), said township; thence westerly to the north-west corner of said section; thence southerly to the north-east corner of Section thirty-two (32), said township; thence westerly to the north-west corner of Section thirty-one (31), said township; thence southerly to the south-west corner of said township; thence westerly to the north-east corner of Section three (3), Township thirty (30) North, Range four (4) East; thence southerly to the south-east corner of said section; thence westerly to the north-west corner of Section seven (7), said township; thence southerly to the north-east corner of Section thirty-six (36), Township thirty (30) North, Range three (3) East; thence westerly to the north-west corner of said section; thence southerly, allowing for the proper offset on the Sixth (6th) Standard Parallel North, to the north-east corner of Section fourteen (14), Township twenty-nine (29) North, Range three (3) East; thence westerly to the north-west corner of Section eighteen (18), said township; thence southerly to the south-west corner of said township; thence westerly to the north-west corner of Section four (4), Township twenty-eight (28) North, Range two (2) East; thence southerly to the south-west corner of Section nine (9), said township; thence easterly to the south-east corner of said section; thence

southerly to the south-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the south-west corner of said section; thence southerly to the south-west corner of Section thirty-four (34), Township twenty-six (26) North, Range two (2) East; thence westerly, along the Fifth and one-half ($5\frac{1}{2}$) Standard Parallel North, to the north-west corner of Township twenty-five (25) North, Range two (2) East; thence southerly along the range line to its intersection with the Salmon River; thence in a general easterly direction along the middle of the channel of said river to its intersection with the range line between Ranges eighteen (18) and nineteen (19) East; thence northerly along said range line to its intersection with the boundary line between the States of Idaho and Montana; thence in a general north-easterly direction along said state boundary line to its intersection with the township line between Townships one (1) and two (2) South, Base and Principal Meridian, Montana; thence easterly to the south-east corner of Township one (1) South, Range nineteen (19) West; thence northerly to the north-east corner of said township; thence westerly along the Base Line to the south-west corner of the south-east quarter of Section thirty-two (32), Township one (1) North, Range nineteen (19) West; thence northerly to the north-west corner of the north-east quarter of Section five (5), said township; thence westerly to the north-east corner of lot one (1) of Section three (3), Township one (1) North, Range twenty-one (21) West; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the north-west corner of the north-east quarter of Section nine (9), said township; thence southerly to the south-west corner of the south-east quarter of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section seventeen (17), said township; thence westerly to the south-east corner of the south-west quarter of said section; thence southerly to the south-west corner of the south-east quarter of Section twenty-nine (29), said township; thence westerly to the north-west corner of the north-east quarter of Section thirty-one (31), said township; thence southerly, allowing for the proper offset on the Base Line, to the south-west corner of the south-east quarter of Section one (1), Township one (1) South, Range twenty-two (22) West; thence westerly to the north-east corner of Section eleven (11), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of the south-east quarter of said section; thence southerly to the south-west corner of the south-east quarter of Section thirty-five (35), said township; thence westerly to the north-east corner of Section three (3), Township two (2) South,

Range twenty-two (22) West; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the south-east corner of the south-west quarter of said section; thence southerly to the south-east corner of the south-west quarter of Section three (3), Township three (3) South, Range twenty-two (22) West; thence westerly to the north-east corner of Section nine (9), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence easterly to the south-east corner of the south-west quarter of Section four (4), said township; thence northerly to the north-east corner of the south-west quarter of said section; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the south-east corner of Section sixteen (16), Township two (2) South, Range twenty-two (22) West; thence westerly to the south-east corner of the south-west quarter of Section sixteen (16), said township; thence northerly to the north-east corner of the north-west quarter of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-east corner of the south-west quarter of Section thirty-four (34), Township one (1) South, Range twenty-two (22) West; thence northerly to the north-east corner of the south-west quarter of said section; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-west corner of Section eleven (11), said township; thence easterly to the south-east corner of the south-west quarter of Section two (2), said township; thence northerly, allowing for the proper offset on the Base Line, to the north-west corner of the south-east quarter of Section thirty-six (36), Township one (1) North, Range twenty-two (22) West; thence westerly to the north-east corner of the south-east quarter of Section thirty-four (34), said township; thence southerly to the south-east corner of said section; thence westerly along the Base Line to the south-west corner of Section thirty-three (33), said township; thence northerly to the north-west corner of the south-west quarter of said section; thence easterly to the south-east corner of the north-west quarter of Section thirty-four (34), said township; thence northerly to the north-east corner of the north-west quarter of said section; thence easterly to the south-east corner of the south-west quarter of Section twenty-six (26), said township; thence northerly to the north-east corner of the south-west quarter of said section; thence easterly to the south-east corner of the north-west quarter of Section twenty-five (25), said township; thence northerly to the north-east corner of the north-west quarter of said section; thence easterly to the south-east corner of Section nineteen (19), Township one (1) North, Range twenty-one (21) West; thence northerly to the

south-west corner of Section eight (8), said township; thence easterly to the south-east corner of the south-west quarter of said section; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the south-west corner of Section four (4), said township; thence northerly, allowing for the proper offset on the township line, to the north-west corner of the south-west quarter of Section thirty-three (33), Township two (2) North, Range twenty-one (21) West; thence easterly to the north-east corner of the south-east quarter of said section; thence northerly to the north-west corner of Section thirty-four (34), said township; thence westerly to the south-east corner of the south-west quarter of Section twenty-eight (28), said township; thence northerly to the north-east corner of the south-west quarter of said section; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-east corner of said section; thence easterly to the north-west corner of the north-east quarter of section twenty-seven (27), said township; thence southerly to the south-west corner of the north-east quarter of said section; thence easterly to the south-east corner of the north-east quarter of Section twenty-six (26), said township; thence northerly to the north-east corner of the south-east quarter of Section fourteen (14), said township; thence westerly to the north-west corner of the south-west quarter of said section; thence northerly to the south-east corner of Section three (3), said township; thence westerly to the south-east corner of the south-west quarter of said section; thence northerly to the north-east corner of the south-west quarter of said section; thence westerly to the north-west corner of the south-west quarter of said section; thence northerly to the north-west corner of said section; thence westerly to the south-east corner of Section thirty-two (32), Township three (3) North, Range twenty-one (21) West; thence northerly to the south-east corner of the north-east quarter of said section; thence westerly to the south-west corner of the north-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of Section twenty (20), said township; thence westerly to the south-west corner of Section seventeen (17), said township; thence northerly to the north-east corner of the south-east quarter of the north-east quarter of Section seven (7), said township; thence westerly to the north-west corner of the south-east quarter of the north-east quarter of said section; thence northerly to the south-west corner of lot one (1) of Section six (6), said township; thence easterly to the south-west corner of lot two (2) of Section five (5), said township; thence southerly to the south-west corner of the south-east quarter of said section; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of the south-east quarter of Section twenty-nine (29), Township four (4) North, Range twenty-

one (21) West; thence westerly to the north-west corner of the south-west quarter of said section; thence northerly to the south-west corner of Section twenty (20), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of Section seventeen (17), said township; thence westerly to the north-west corner of the north-east quarter of said section; thence southerly to the south-west corner of the north-east quarter of said section; thence westerly to the north-west corner of the south-east quarter of Section eighteen (18), said township; thence northerly to the north-west corner of the south-east quarter of Section six (6), said township; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-west corner of Section five (5), said township; thence easterly along the First (1st) Standard Parallel North to the south-east corner of the south-west quarter of Section thirty-three (33), Township five (5) North, Range twenty-one (21) West; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of Section twenty-eight (28), said township; thence northerly to the south-west corner of Section nine (9), said township; thence easterly to the south-west corner of the south-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of Section thirty-three (33), Township six (6) North, Range twenty-one (21) West; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of the south-east quarter of Section twenty-nine (29), Township seven (7) North, Range twenty-one (21) West; thence westerly to the north-west corner of the south-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of Section twenty (20), said township; thence northerly to the south-west corner of Section eight (8), said township; thence easterly to the south-east corner of the south-west quarter of said section; thence northerly to the north-east corner of the north-west quarter of Section five (5), said township; thence easterly to the south-west corner of Section thirty-three (33), Township eight (8) North, Range twenty-one (21) West; thence northerly to the north-west corner of Section twenty-eight (28), said township; thence easterly to the north-east corner of said section; thence northerly to the south-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of the south-west quarter of said section; thence northerly to the north-east corner of the south-west quarter of Section ten (10), said township; thence westerly to the north-west corner of the south-west quarter of said section; thence northerly to the south-west corner of Section three (3), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence east-

erly, along the Second (2nd) Standard Parallel North, to the south-east corner of Township nine (9) North, Range twenty-one (21) West; thence northerly to the north-east corner of Township ten (10) North, Range twenty-one (21) West; thence westerly along the township line to its intersection with the boundary line between the States of Montana and Idaho; thence along said state boundary line to its intersection with the township line between Townships thirty-eight (38) and thirty-nine (39) North, Boise Base and Meridian, Idaho; thence westerly along said township line to the north-west corner of Township thirty-eight North, Range ten (10) East; thence southerly to the south-west corner of Township thirty-seven (37) North, Range ten (10) East; thence westerly along the Seventh (7th) Standard Parallel North to the north-east corner of Township thirty-six (36) North, Range five (5) East, the place of beginning; such of the above-named corners and other turning points as have not been established by the official surveys being intended to be located at the points where the same would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys; excepting and excluding from reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Idaho and particularly described as follows:

What will be when surveyed Sections one (1) to eighteen (18), both inclusive, Township twenty-six (26) North, Range six (6) East, Boise Base and Meridian, Idaho; Sections nineteen (19) to thirty-six (36), both inclusive, Township twenty-seven (27) North, Range six (6) East; Sections four (4) to nine (9), both inclusive, and Sections sixteen (16), seventeen (17) and eighteen (18), Township twenty-six (26) North, Range seven (7) East; Sections nineteen (19), twenty (20) and twenty-one (21), and Sections twenty-eight (28) to thirty-three (33), both inclusive, Township twenty-seven (27) North, Range seven (7) East, and all Township twenty-nine (29) North, Range eight (8) East;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

The lands in the State of Montana hereby excluded from the reserve and restored to the public domain shall be open to settlement from the date hereof, but shall not be subject to entry, filing or selection until

after ninety days' notice by such publication as the Secretary of the Interior may prescribe.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 22d day of May, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, the Yellowstone Forest Reserve, in the States of Wyoming and Montana, was established by proclamation, dated January twenty-ninth, one thousand nine hundred and three, under the provisions of the act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws and for other purposes", and the act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes";

And whereas, it is provided by the aforesaid act of Congress, approved June fourth, eighteen hundred and ninety-seven, that "The President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve"; under which provision the boundary lines of the said forest reserve were changed and the area thereof reduced by proclamation dated May fourth, nineteen hundred and four;

And whereas, the public lands in the State of Idaho, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid act of

Congress, approved June fourth, eighteen hundred and ninety-seven, do hereby make known and proclaim that there are hereby reserved from entry or settlement, and added to and made a part of the aforesaid Yellowstone Forest Reserve, all those certain tracts, pieces or parcels of land lying and being situate in the State of Idaho and within the boundaries particularly described as follows:

Beginning at the point where the section line between Sections twenty (20) and twenty-nine (29), Township three (3) North, Range forty-six (46) East, Boise Base and Meridian, Idaho, intersects the western boundary of the Yellowstone Forest Reserve; thence westerly to the south-west corner of Section nineteen (19), Township three (3) North, Range forty-five (45) East; thence northerly to the north-east corner of Section twenty-four (24), Township three (3) North, Range forty-four (44) East; thence westerly to the south-west corner of Section thirteen (13), said township; thence northerly to the north-east corner of Section twenty-six (26), Township four (4) North, Range forty-four (44) East; thence westerly to the south-west corner of Section twenty-three (23), said township; thence northerly to the north-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of Section ten (10), said township; thence northerly to the north-east corner of Section four (4), said township; thence westerly to the south-west corner of Section thirty-three (33), Township five (5) North, Range forty-four (44) East; thence northerly to the north-east corner of Section thirty-two (32), said township; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence northerly to the north-east corner of Section nineteen (19), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-east corner of Township five (5) North, Range forty-three (43) East; thence westerly along the First (1st) Standard Parallel North to the north-west corner of Section five (5), said township; thence southerly to the south-west corner of Section thirty-two (32), said township; thence easterly to the north-east corner of Section three (3), Township four (4) North, Range forty-three (43) East; thence southerly to the south-west corner of Section eleven (11) said township; thence easterly to the north-east corner of Section fourteen (14), said township; thence southerly to the south-west corner of Section thirteen (13), said township; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the south-west corner of Section thirty (30), Township four (4) North, Range forty-four (44) East; thence easterly to the north-east corner of Section thirty-one (31), said township; thence southerly to the south-west corner of Section eight (8), Township three (3) North, Range forty-four (44) East; thence easterly to the north-east corner of Section

sixteen (16), said township; thence southerly to the south-east corner of Section twenty-eight (28), said township; thence westerly to the north-west corner of Section thirty-two (32), said township; thence southerly to the south-east corner of Section thirty-one (31), said township; thence westerly to the north-west corner of Township two (2) North, Range forty-four (44) East; thence southerly to the south-west corner of said township; thence easterly to the north-east corner of Section three (3), Township one (1) North, Range forty-four (44) East; thence southerly to the south-west corner of Section fourteen (14), said township; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly, allowing for the proper offset on the Base Line, to the south-west corner of Section four (4), Township one (1) South, Range forty-five (45) East; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-west corner of Section ten (10), said township; thence easterly to the north-east corner of Section fifteen (15), said township; thence southerly to the south-west corner of Section fourteen (14), said township; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the south-west corner of Section six (6), Township two (2) South, Range forty-six (46) East; thence easterly to the north-east corner of Section eight (8), said township; thence southerly to the south-west corner of Section twenty-one (21), said township; thence easterly along the section lines to the point of intersection with the western boundary of the Yellowstone Forest Reserve; thence northerly along said boundary to the point of intersection with the section line between Sections twenty (20) and twenty-nine (29), Township three (3) North, Range forty-six (46) East, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 22d day of May,
[SEAL.] in the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Idaho, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Idaho and particularly described as follows:

Beginning at the point where the State Line between the States of Idaho and Montana intersects the western boundary of the Yellowstone National Park; thence southerly and easterly along the boundary of said Park to the point of intersection with the State Line between the States of Idaho and Wyoming; thence southerly along said State Line to the south-east corner of Township seven (7) North, Range forty-six (46) East, Boise Base and Meridian, Idaho; thence westerly to the south-west corner of Section thirty-five (35), Township seven (7) North, Range forty-five (45) East; thence northerly to the south-east corner of Section fifteen (15), said township; thence

westerly to the south-west corner of said section; thence northerly to the north-west corner of Section three (3), said township; thence westerly to the south-west corner of Section thirty-three (33), Township eight (8) North, Range forty-five (45) East; thence northerly to the south-east corner of Section eight (8), said township; thence westerly to the south-west corner of the south-east quarter of said section; thence northerly to the north-west corner of the south-east quarter of Section five (5), said township; thence westerly to the south-west corner of the north-west quarter of Section six (6), said township; thence northerly, allowing for the proper offset on the Second (2nd) Standard Parallel North, to the south-east corner of Section twenty-five (25), Township nine (9) North, Range forty-four (44) East; thence westerly to the south-west corner of Section twenty-six (26), said township; thence northerly to the south-east corner of Section ten (10), said township; thence westerly to the south-west corner of Section seven (7), said township; thence northerly to the south-east corner of Section one (1), Township nine (9) North, Range forty-three (43) East; thence westerly to the north-east corner of Section ten (10), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section nine (9), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the south-east corner of Township ten (10) North, Range forty-two (42) East; thence westerly to the south-west corner of said township; thence northerly to the south-east corner of Township eleven (11) North, Range forty-one (41) East; thence westerly to the south-west corner of Section thirty-four (34), said township; thence northerly to the north-west corner of Section twenty-two (22), said township; thence easterly to the south-west corner of Section thirteen (13), said township; thence northerly to the north-west corner of said section; thence westerly to the north-east corner of Section seventeen (17), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the south-east corner of Section one (1), Township eleven (11) North, Range forty (40) East; thence westerly to the south-west corner of Section two (2), said township; thence northerly to the north-west corner of Section two (2), Township twelve (12) North, Range forty (40) East; thence easterly along the Third (3rd) Standard Parallel North to the north-west corner of Section two (2), Township twelve (12) North, Range forty-one (41) East; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of the north-west quarter of Section twelve (12),

said township; thence easterly to the south-east corner of the north-east quarter of Section eight (8), Township twelve (12) North, Range forty-two (42) East; thence northerly to the north-east corner of Section five (5), said township; thence easterly to the south-east corner of Section thirty-four (34), Township thirteen (13) North, Range forty-two (42) East; thence northerly to the north-east corner of said section; thence easterly to the south-west corner of Section twenty-five (25), said township; thence northerly to the south-west corner of the north-west quarter of said section; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-east corner of Section twenty-four (24), said township; thence westerly to the north-west corner of the north-east quarter of said section; thence northerly to the south-west corner of the north-east quarter of Section twelve (12), said township; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-east corner of Section one (1), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-east corner of Township thirteen (13) North, Range forty-one (41) East; thence westerly to the north-west corner of Section one (1), said township; thence southerly to the south-west corner of said section; thence westerly to the south-east corner of Section four (4), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section ten (10), Township thirteen (13) North, Range forty (40) East; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section eighteen (18), said township; thence northerly to the north-east corner of Section twelve (12), Township thirteen (13) North, Range thirty-nine (39) East; thence westerly to the north-west corner of Section seven (7), said township; thence southerly to the north-east corner of Section twenty-four (24), Township thirteen (13) North, Range thirty-eight (38) East; thence westerly to the north-west corner of Section twenty-two (22), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly, allowing for the proper offset on the Third (3rd) Standard Parallel North, to the north-east corner of Section ten (10), Township twelve (12) North, Range thirty-eight (38) East; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section eighteen (18), Township twelve (12) North, Range thirty-seven (37) East; thence

southerly to the south-east corner of Section thirteen (13) Township twelve (12) North, Range thirty-six (36) East; thence westerly to the south-west corner of Section eighteen (18), Township twelve (12) North, Range thirty-five (35) East; thence northerly along the range line, allowing for the proper offset on the Third (3rd) Standard Parallel North, to the State Line between the States of Idaho and Montana; thence in a general easterly direction along said State Line to the point of intersection with the western boundary of the Yellowstone National Park, the place of beginning; excepting and excluding from reservation all those certain tracts, pieces or parcels of land lying and being situate within the boundaries particularly described as follows:

Beginning at the north-west corner of Section thirty-one (31), Township sixteen (16) North, Range forty-three (43) East, Boise Base and Meridian, Idaho; thence easterly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Township fifteen (15) North, Range forty-three (43) East; thence southerly to the south-east corner of said township; thence easterly to the north-east corner of Section five (5), Township fourteen (14) North, Range forty-four (44) East; thence southerly to the north-west corner of Section nine (9), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section sixteen (16), said township; thence westerly to the south-west corner of Section seventeen (17), said township; thence southerly to the south-east corner of Section nineteen (19), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section thirteen (13), Township fourteen (14) North, Range forty-three (43) East; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section eleven (11), said township; thence northerly to the south-east corner of Section twenty-seven (27), Township fifteen (15) North, Range forty-three (43) East; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-west corner of Section thirty-one (31), Township sixteen (16) North, Range forty-three (43) East, the place of beginning;

Such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands

which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Henrys Lake Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 23d day of May, in
[SEAL.] the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Idaho, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of

land lying and being situate in the State of Idaho, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Township eighteen (18) North, Range one (1) East, Boise Base and Meridian, Idaho; thence easterly to the north-east corner of Section four (4), said township; thence southerly to the north-east corner of Section sixteen (16), said township; thence westerly to the north-west corner of said section, thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section twenty-three (23), said township; thence southerly to the south-west corner of Section thirty-six (36), said township; thence easterly to the south-east corner of said township; thence northerly to the north-west corner of Section thirty-one (31), Township eighteen (18) North, Range two (2) East; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly along the Fourth (4th) Standard Parallel North to the north-east corner of Section five (5), Township seventeen (17) North, Range two (2) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section nine (9), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the north-west corner of Section sixteen (16), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the north-west corner of Section twenty-seven (27), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-five (35), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Township sixteen (16) North, Range two (2) East; thence southerly to the north-east corner of Section thirty-six (36), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section six (6), Township fifteen (15) North, Range three (3) East; thence southerly to the south-east corner of Section nineteen (19), said township; thence westerly to the north-west corner of Section thirty (30), said township; thence southerly to the north-east corner of Section thirty-six (36), Township fifteen (15) North, Range two (2) East; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said township; thence southerly to the south-west corner of Section eighteen (18), Township fourteen (14) North, Range three (3) East; thence easterly to the south-east corner of said section; thence southerly to the south-west

corner of Section twenty (20), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-three (33), said township; thence easterly along the Third (3rd) Standard Parallel North to the north-east corner of Section four (4), Township thirteen (13) North, Range three (3) East; thence southerly to the north-west corner of Section fifteen (15), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-three (23), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section fourteen (14), Township twelve (12) North, Range three (3) East; thence westerly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty (20), Township eleven (11) North, Range three (3) East; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty (30), said township; thence westerly to the north-west corner of Section thirty-five (35), Township eleven (11) North, Range two (2) East; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section three (3), Township ten (10) North, Range two (2) East; thence southerly to the south-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section twenty-three (23), said township; thence easterly to the south-east corner of Section twenty-four (24), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section thirteen (13), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Township ten (10) North, Range three (3) East; thence easterly to the north-east corner of Section four (4), said township; thence southerly along the section lines, allowing for the proper offset on the Second (2nd) Standard Parallel North, to the south-east corner of Section thirty-three (33), Township nine (9) North, Range three (3) East; thence westerly to the south-west corner of said township; thence northerly to the north-east corner of Section twenty-five (25), Township nine (9) North, Range two (2) East; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section fourteen (14), said

township; thence westerly to the south-west corner of Section nine (9), said township; thence northerly to the north-east corner of Section five (5), said township; thence westerly along the Second (2nd) Standard Parallel North to the south-west corner of Section thirty-two (32), Township ten (10) North, Range two (2) East; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of Section twenty-nine (29), Township eleven (11) North, Range two (2) East; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section six (6), said township; thence westerly to the south-west corner of Section thirty-four (34), Township twelve (12) North, Range one (1) East; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-east corner of Section thirty-four (34), Township thirteen (13) North, Range one (1) East; thence northerly along the section lines, allowing for the proper offset on the Third (3rd) Standard Parallel North, to the south-east corner of Section three (3), Township fourteen (14) North, Range one (1) East; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty-three (33), Township fifteen (15) North, Range one (1) East; thence northerly to the south-west corner of Section sixteen (16), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the south-west corner of Township sixteen (16) North, Range one (1) East; thence northerly along the range line, allowing for the proper offset on the Fourth (4th) Standard Parallel North, to the north-west corner of Township eighteen (18) North, Range one (1) East, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been prior to the date hereof embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless

the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Weiser Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 25th day of May, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Idaho, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Idaho, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Township eighteen (18) North, Range one (1) East, Boise Base and Meridian, Idaho; thence easterly to the north-east corner of Section four (4), said township; thence southerly to the north-east corner of Section sixteen (16), said

township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section twenty-three (23), said township; thence southerly to the south-west corner of Section thirty-six (36), said township; thence easterly to the south-east corner of said township; thence northerly to the north-west corner of Section thirty-one (31), Township eighteen (18) North, Range two (2) East; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly along the Fourth (4th) Standard Parallel North to the north-east corner of Section five (5), Township seventeen (17) North, Range two (2) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section nine (9), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the north-west corner of Section sixteen (16), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the north-west corner of Section twenty-seven (27), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-five (35), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Township sixteen (16) North, Range two (2) East; thence southerly to the north-east corner of Section thirty-six (36), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section six (6), Township fifteen (15) North, Range three (3) East; thence southerly to the south-east corner of Section nineteen (19), said township; thence westerly to the north-west corner of Section thirty (30), said township; thence southerly to the north-east corner of Section thirty-six (36), Township fifteen (15) North, Range two (2) East; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said township; thence southerly to the south-west corner of Section eighteen (18), Township fourteen (14) North, Range three (3) East; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section twenty (20), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-three (33), said township; thence easterly along the Third (3rd) Standard Parallel North to the north-east corner of Section four (4), Township thirteen (13) North, Range three (3) East; thence southerly to the north-west corner of Section fifteen (15), said

township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-three (23), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section fourteen (14), Township twelve (12) North, Range three (3) East; thence westerly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty (20), Township eleven (11) North, Range three (3) East; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty (30), said township; thence westerly to the north-west corner of Section thirty-five (35), Township eleven (11) North, Range two (2) East; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section three (3), Township ten (10) North, Range two (2) East; thence southerly to the south-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section twenty-three (23), said township; thence easterly to the south-east corner of Section twenty-four (24), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section thirteen (13), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Township ten (10) North, Range three (3) East; thence easterly to the north-east corner of Section four (4), said township; thence southerly along the section lines, allowing for the proper offset on the Second (2nd) Standard Parallel North, to the south-east corner of Section thirty-three (33), Township nine (9) North, Range three (3) East; thence westerly to the south-west corner of said township; thence northerly to the north-east corner of Section twenty-five (25), Township nine (9) North, Range two (2) East; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section fourteen (14), said township; thence westerly to the south-west corner of Section nine (9), said township; thence northerly to the north-east corner of Section five (5), said township; thence westerly along the Second (2nd) Standard Parallel North to the south-west corner of Section thirty-two (32), Township ten (10) North, Range two (2) East; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to

the north-east corner of said section; thence northerly to the north-east corner of Section twenty-nine (29), Township eleven (11) North, Range two (2) East; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section six (6), said township; thence westerly to the south-west corner of Section thirty-four (34), Township twelve (12) North, Range one (1) East; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-east corner of Section thirty-four (34), Township thirteen (13) North, Range one (1) East; thence northerly along the section lines, allowing for the proper offset on the Third (3rd) Standard Parallel North, to the south-east corner of Section three (3), Township fourteen (14) North, Range one (1) East; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty-three (33), Township fifteen (15) North, Range one (1) East; thence northerly to the south-west corner of Section sixteen (16), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the south-west corner of Township sixteen (16) North, Range one (1) East; thence northerly along the range line, allowing for the proper offset on the Fourth (4th) Standard Parallel North, to the north-west corner of Township eighteen (18) North, Range one (1) East, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Weiser Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 25th day of May, in
[SEAL.] the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Idaho, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Idaho, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section three (3), Township thirteen (13) North, Range five (5) East, Boise Base and Meridian, Idaho; thence easterly to the north-east corner of Section four (4), Township thirteen (13) North, Range eight (8) East; thence southerly to the south-west corner of Section fifteen (15), Township twelve (12) North, Range eight (8) East; thence easterly to the north-east corner of Section twenty-four (24), Township twelve (12) North, Range nine (9) East; thence southerly to the south-west corner of Section thirty (30), Township twelve (12) North, Range ten (10) East; thence easterly to the north-east corner of Section thirty-six

(36), said township; thence southerly to the south-west corner of Township twelve (12) North, Range eleven (11) East; thence easterly to the north-east corner of Section five (5), Township eleven (11) North, Range eleven (11) East; thence southerly to the south-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of Section twenty-nine (29), Township eleven (11) North, Range twelve (12) East; thence southerly to the south-west corner of Section sixteen (16), Township ten (10) North, Range twelve (12) East; thence easterly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-west corner of Section twenty-two (22), said township; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-west corner of Section thirty (30), Township ten (10) North, Range thirteen (13) East; thence easterly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of Section three (3), Township nine (9) North, Range thirteen (13) East; thence southerly to the south-west corner of Section twenty-six (26), said township; thence easterly to the north-east corner of Section thirty-five (35), said township; thence southerly to the south-west corner of Section one (1), Township eight (8) North, Range thirteen (13) East; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-west corner of Section nineteen (19), Township eight (8) North, Range fourteen (14) East; thence easterly to the north-east corner of Section thirty (30), said township; thence southerly to the south-west corner of Section thirty-two (32), said township; thence easterly to the north-east corner of Section five (5), Township seven (7) North, Range fourteen (14) East; thence southerly to the south-east corner of Section twenty-nine (29), said township; thence westerly to the north-west corner of Section thirty-one (31), said township; thence southerly to the south-east corner of Township seven (7) North, Range thirteen (13) East; thence westerly to the north-west corner of Section one (1), Township six (6) North, Range thirteen (13) East; thence southerly to the south-east corner of Section eleven (11), said township; thence westerly to the north-west corner of Section fourteen (14), said township; thence southerly to the south-west corner of Section twenty-three (23), said township; thence easterly to the north-east corner of Section thirty (30), Township six (6) North, Range fourteen (14) East; thence southerly to the south-west corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of Section thirty-three (33), Township six (6) North, Range fifteen (15) East; thence southerly, allowing for the proper offset on the First (1st) Standard

Parallel North, to the south-west corner of Section fifteen (15), Township four (4) North, Range fifteen (15) East; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the north-west corner of Township three (3) North, Range fifteen (15) East; thence southerly to the south-east corner of Section one (1), Township three (3) North, Range fourteen (14) East; thence westerly to the north-west corner of Section nine (9), said township; thence southerly to the south-east corner of Section thirty-two (32), said township; thence westerly to the south-west corner of Section thirty-five (35), Township three (3) North, Range ten (10) East; thence northerly to the north-west corner of the south-west quarter of Section eleven (11), said township; thence easterly to the south-east corner of the north-east quarter of Section seven (7), Township three (3) North, Range eleven (11) East; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the south-east corner of Section four (4), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of Section five (5), said township; thence southerly to the south-east corner of the north-west quarter of said section; thence westerly to the south-west corner of the north-west quarter of Section one (1), Township three (3) North, Range ten (10) East; thence northerly to the north-east corner of Section two (2), said township; thence westerly to the south-west corner of Section thirty-five (35), Township four (4) North, Range ten (10) East; thence northerly to the north-east corner of Section twenty-seven (27), said township; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-west corner of said section; thence easterly to the south-east corner of Section fifteen (15), said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of Section ten (10), said township; thence northerly to the north-east corner of Section four (4), said township; thence westerly to the north-west corner of said section; thence southerly to the south-east corner of Section five (5), said township; thence westerly to the north-west corner of Section eight (8), said township; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section seventeen (17), said township; thence southerly to the south-west corner of Section twenty-eight (28), said township; thence easterly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-east corner of Section nine (9), Township three (3) North, Range ten (10) East; thence westerly to the north-west corner of Section sixteen (16), said township; thence southerly to the south-east corner of Section thirty-

two (32), said township; thence westerly to the south-west corner of Township three (3) North, Range seven (7) East; thence northerly to the north-east corner of Section twenty-four (24), Township three (3) North, Range six (6) East; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-west corner of Section seven (7), said township; thence easterly to the south-east corner of Section six (6), said township; thence northerly to the north-west corner of Section thirty-two (32), Township four (4) North, Range six (6) East; thence easterly to the south-east corner of Section twenty-six (26), said township; thence northerly to the north-west corner of Section twenty-five (25), said township; thence easterly to the south-east corner of Section twenty-four (24), said township; thence northerly to the north-west corner of Section nineteen (19), Township four (4) North, Range seven (7) East; thence easterly to the south-east corner of Section eighteen (18), said township; thence northerly to the north-west corner of Section seventeen (17), said township; thence easterly to the south-east corner of Section eight (8), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of Section seven (7), said township; thence southerly to the south-east corner of Section twelve (12), Township four (4) North, Range six (6) East; thence westerly to the north-west corner of Section thirteen (13), said township; thence southerly to the south-east corner of Section fourteen (14), said township; thence westerly to the north-west corner of Section twenty-three (23), said township; thence southerly to the south-east corner of Section twenty-two (22), said township; thence westerly to the north-west corner of Section thirty (30), said township; thence southerly to the south-east corner of Section twenty-five (25), Township four (4) North, Range five (5) East; thence westerly to the north-west corner of Section thirty-six (36), said township; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the south-west corner of said township; thence northerly to the north-west corner of said township; thence easterly to the south-east corner of Township five (5) North, Range five (5) East; thence northerly to the north-west corner of Township five (5) North, Range six (6) East; thence easterly to the south-east corner of Township six (6) North, Range six (6) East; thence northerly to the north-east corner of said township; thence westerly to the south-west corner of Township seven (7) North, Range six (6) East; thence northerly to the south-east corner of Township eight (8) North, Range five (5) East; thence westerly to the south-west corner of Section thirty-six (36), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-

east corner of Section twenty-five (25), said township; thence westerly to the north-west corner of the north-east quarter of Section twenty-seven (27), said township; thence southerly to the south-east corner of the south-west quarter of Section thirty-four (34), said township; thence westerly to the south-west corner of Township eight (8) North, Range four (4) East; thence northerly to the north-west corner of said township; thence easterly to the north-east corner of Section four (4), said township; thence southerly to the south-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of said section; thence northerly to the north-west corner of the south-west quarter of Section eleven (11), said township; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-west corner of Section one (1), said township; thence easterly to the south-east corner of Township nine (9) North, Range four (4) East; thence northerly to the north-east corner of said township; thence westerly to the south-west corner of Section thirty-six (36), Township ten (10) North, Range four (4) East; thence northerly to the south-west corner of Section thirteen (13), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of the north-east quarter of Section fourteen (14), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the north-west corner of Section twenty-one (21), said township; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section twenty-nine (29), said township; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of the north-east quarter of Section thirty-one (31), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the south-west corner of said township; thence northerly to the north-west corner of Section thirty (30), Township eleven (11) North, Range four (4) East; thence easterly to the south-east corner of Section twenty (20), said township; thence northerly to the north-west corner of Section sixteen (16), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-east corner of Section thirty-four (34), Township twelve (12) North, Range four (4) East; thence northerly to the north-west corner of Section two (2), said township; thence easterly to the south-west corner of Township thirteen (13) North, Range five (5) East; thence northerly to the north-west corner of Section thirty (30), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty (20), said township;

thence easterly to the north-east corner of said section; thence north-erly to the north-west corner of Section sixteen (16), said township; thence easterly to the north-east corner of said section; thence north-erly to the north-west corner of Section three (3), said township, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Sawtooth Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 29th day of May, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation,

declare the establishment of such reservations and the limits thereof”;

And whereas, the public lands in the State of Oregon, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Oregon, and particularly described as follows:

In Township eighteen (18) South, Range eighteen (18) East, Sections one (1), two (2), three (3), four (4), and Sections nine (9) to fifteen (15), both inclusive;

In Township seventeen (17) South, Range nineteen (19) East, Sections twenty-three (23) to thirty-six (36), both inclusive;

In Township eighteen (18) South, Range nineteen (19) East, Sections one (1) to fifteen (15), both inclusive, and Sections seventeen (17), eighteen (18), twenty-two (22), twenty-three (23) and twenty-four (24);

In Township seventeen (17) South, Range twenty (20) East, Sections nineteen (19) to thirty-six (36), both inclusive;

In Township eighteen (18) South, Range twenty (20) East, Sections one (1) to twelve (12), both inclusive;

In Township seventeen (17) South, Range twenty-one (21) East, Sections nineteen (19), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32) and the west half of Section thirty-three (33);

In Township eighteen (18) South, Range twenty-one (21) East, the west half of Section four (4), Sections five (5), six (6), seven (7), eight (8) and the west half of Section nine (9); all of Willamette Meridian, Oregon;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Maury Mountain Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 2d day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by the Act of Congress, approved January twenty-fourth, nineteen hundred and five, entitled, "An Act for the protection of wild animals and birds in the Wichita Forest Reserve", "That the President of the United States is hereby authorized to designate such areas in the Wichita Forest Reserve as should, in his opinion, be set aside for the protection of game animals and birds and be recognized as a breeding place therefor.

"SEC. 2. That when such areas have been designated as provided for in section one of this Act, hunting, trapping, killing, or capturing of game animals and birds upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time, by the Secretary of Agriculture; and any person violating such regulations or the provisions of this Act shall be deemed guilty of a misdemeanor, and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding one thousand dollars or be imprisoned for a period not exceeding one year, or shall suffer both fine and imprisonment, in the discretion of the court.

"SEC. 3. That it is the purpose of this Act to protect from trespass the public lands of the United States and the game animals and birds which may be thereon, and not to interfere with the operation of the local game laws as affecting private, State, or Territorial lands";

And whereas, for the purpose of giving this Act effect, it appears desirable that the entire Wichita Forest Reserve be declared a Game Preserve;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid Act of Congress, do hereby make known and proclaim that the Wichita Forest

Reserve, in the Territory of Oklahoma, is designated and set aside for the protection of game animals and birds, and shall be recognized as a breeding place therefor, and that the hunting, trapping, killing or capturing of game animals and birds upon the lands of the United States within the limits of said area is unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 2d day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of California, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of California, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section three (3), Township thirty-five (35) North, Range four (4) East, Mount Diablo Base and Meridian, California; thence easterly along the Seventh (7th)

Standard Parallel North to the north-east corner of said township; thence southerly to the north-west corner of fractional Township thirty-five (35) North, Range five (5) East; thence easterly along the Seventh (7th) Standard Parallel North to the north-east corner of Township thirty-five (35) North, Range six (6) East; thence southerly to the north-west corner of Section eighteen (18), Township thirty-five (35) North, Range seven (7) East; thence easterly to the north-east corner of Section seventeen (17), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the north-west corner of Section thirty-five (35), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Township thirty-four (34) North, Range seven (7) East; thence southerly to the north-east corner of Section thirty-six (36), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Township thirty-three (33) North, Range ten (10) East; thence southerly along the range line to the shore line of Eagle Lake, in Section twenty-five (25), said township; thence in a general south-easterly and south-westerly direction along the shore line of Eagle Lake to the township line between Townships thirty-one (31) and thirty-two (32) North, Range ten (10) East; thence westerly to the south-east corner of Section thirty-six (36), Township thirty-two (32) North, Range nine (9) East; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-east corner of Township thirty-one (31) North, Range eight (8) East; thence southerly to the south-east corner of Section twenty-five (25), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-east corner of Section twenty-two (22), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the south-east corner of Section nine (9), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the north-east corner of Section seven (7), said township; thence southerly to the south-east corner of Section thirty-one (31), said township; thence easterly along the Sixth (6th) Standard Parallel North to the north-east corner of Section five (5), Township thirty (30) North, Range eight (8) East; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence

southerly to the south-east corner of Section seven (7), said township; thence westerly to the south-west corner of said section; thence southerly to the north-west corner of Section nineteen (19), said township; thence easterly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-west corner of said section; thence easterly to the south-west corner of Section twelve (12), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of Section seven (7), Township thirty (30) North, Range nine (9) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section seventeen (17), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-west corner of Section twenty-six, said township; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of Section two (2), Township twenty-nine (29) North, Range nine (9) East; thence westerly to the north-east corner of Section eight (8), said township; thence southerly to the south-east corner of Section seventeen (17), said township; thence westerly to the south-west corner of Section thirteen (13), Township twenty-nine (29) North, Range eight (8) East; thence northerly to the north-west corner of said section; thence westerly to the north-east corner of Section seventeen (17), Township twenty-nine (29) North, Range seven (7) East; thence southerly to the south-east corner of said section; thence westerly to the north-east corner of Section twenty-two (22), Township twenty-nine (29) North, Range six (6) East; thence southerly to the south-east corner of said section; thence westerly to the north-west corner of Section thirty (30), Township twenty-nine (29) North, Range five (5) East; thence southerly to the north-east corner of Section thirty-six (36), Township twenty-nine (29) North, Range four (4) East; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of fractional Township twenty-eight (28) North, Range four (4) East; thence southerly to the south-east corner of Section twenty-five (25), said township; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence southerly to the south-east corner of Section twenty-five (25), Township twenty-eight (28) North, Range three (3) East; thence westerly to the south-west corner of Section twenty-six (26), said township; thence northerly to the north-east corner of Section twenty-two (22), said township; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section sixteen (16), said township; thence westerly to the south-west corner of Section eight (8), said township; thence northerly, allowing for the

proper offset on the township line, to the north-west corner of Section thirty-three (33), Township twenty-nine (29) North, Range three (3) East; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section three (3), Township thirty (30) North, Range three (3) East; thence easterly along the Sixth (6th) Standard Parallel North to the south-west corner of Section thirty-four (34), Township thirty-one (31) North, Range three (3) East; thence northerly to the south-east corner of Section nine (9), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of Section four (4), said township; thence westerly to the south-west corner of Township thirty-two (32) North, Range three (3) East; thence northerly to the south-east corner of Section twenty-four (24), Township thirty-two (32) North, Range two (2) East; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-west corner of Township thirty-three (33) North, Range three (3) East; thence northerly to the north-west corner of Section thirty (30), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section seventeen (17), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section four (4), said township; thence westerly to the south-west corner of Township thirty-four (34) North, Range three (3) East; thence northerly to the north-west corner of Section nineteen (19), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the south-east corner of Section six (6), Township thirty-four (34) North, Range four (4) East; thence northerly to the north-east corner of said section; thence easterly to the south-west corner of Section thirty-three (33), Township thirty-five (35) North, Range four (4) East; thence northerly to the north-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section three (3), said township, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been

made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Lassen Peak Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 2d day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Idaho, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Idaho, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Township twenty-three (23) North, Range four (4) East, Boise Base and Meridian, Idaho; thence southerly to the south-east corner of Township twenty-three (23) North, Range three (3) East; thence westerly to the north-west corner of Township twenty-two (22) North, Range two (2) East; thence southerly along the range line, allowing for the proper offset on the Fifth (5th) Standard Parallel North, to the south-west corner of Section nineteen (19), Township twenty (20) North, Range two (2) East; thence easterly to the north-east corner of Section twenty-nine (29), said township; thence southerly to the south-west corner of Section sixteen (16), Township nineteen (19) North, Range two (2) East; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the south-east corner of Section thirty-one (31), Township nineteen (19) North, Range three (3) East; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section twenty-nine (29), said township; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the south-east corner of Section thirty-four (34), Township twenty (20) North, Range three (3) East; thence northerly to the north-west corner of Section twenty-three (23), said township; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the south-east corner of Section twelve (12), Township nineteen (19) North, Range three (3) East; thence westerly to the south-west corner of said section; thence southerly to the south-west corner of Section twenty-five (25), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Township nineteen (19) North, Range four (4) East; thence easterly to the south-east corner of Section thirty-one (31), said township; thence southerly to the south-west corner of Section five (5), Township eighteen (18) North, Range four (4) East; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-east corner of Section sixteen (16), said township; thence westerly to the north-west corner of Section twenty-one (21), said township; thence southerly to the south-east corner of Section thirty-two (32), said township; thence westerly along the Fourth (4th) Standard Parallel North to the north-west corner of the north-east quarter of Section five (5), Township seventeen (17) North, Range four (4) East; thence southerly to the south-west corner of the south-east quarter of Section eight (8), said township; thence easterly to the north-east corner of Section sixteen (16), said township; thence southerly to the south-west corner of Section fifteen (15), said township; thence easterly to the north-east corner of Section twenty-two (22), said

township; thence southerly to the south-east corner of said section; thence westerly to the north-west corner of Section twenty-eight (28), said township; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-east corner of said township; thence westerly to the north-west corner of Section one (1), Township sixteen (16) North, Range four (4) East; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-east corner of said township; thence westerly to the north-west corner of Section one (1), Township fifteen (15) North, Range four (4) East; thence southerly to the south-east corner of Section fourteen (14), said township; thence westerly to the north-west corner of Section twenty-two (22), said township; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the north-west corner of Section five (5), Township fourteen (14) North, Range four (4) East; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section nine (9), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section fifteen (15), said township; thence westerly to the north-west corner of Section twenty-one (21), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of Section twenty-three (23), said township; thence northerly to the south-west corner of Section twelve (12), said township; thence easterly to the south-east corner of said section; thence northerly to the north-west corner of Township fourteen (14) North, Range five (5) East; thence easterly to the north-east corner of Section five (5), said township; thence southerly to the south-west corner of Section nine (9), said township; thence easterly to the north-west corner of Section fifteen (15), said township; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section twenty (20), said township; thence southerly to the south-west corner of Section thirty-two (32), said township; thence easterly along the Third (3rd) Standard Parallel North to the south-east corner of Section thirty-three (33), Township fourteen (14) North, Range seven (7) East; thence northerly along the section lines, allowing for the proper offset on the Fourth (4th) Standard Parallel North, to the north-east corner of Section four (4), Township eighteen (18) North, Range seven (7) East; thence westerly to the south-west corner of Township nineteen (19) North, Range seven (7) East; thence northerly to the north-east corner of Township nineteen (19) North, Range six (6) East; thence westerly to the south-west corner of Section

thirty-four (34), Township twenty (20) North, Range six (6) East; thence northerly along the section lines to the point of intersection with the Fifth (5th) Standard Parallel North; thence easterly along said parallel to its intersection with the Middle Fork of the Salmon River; thence in a general north-easterly direction along the middle of the channel of said Middle Fork of the Salmon River to its confluence with said river; thence in a general north-westerly direction along the middle of the channel of said river to its intersection with the range line between Ranges six (6) and seven (7) East; thence southerly to the south-east corner of Township twenty-four (24) North, Range six (6) East; thence westerly to the north-west corner of Township twenty-three (23) North, Range four (4) East, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or selection was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Payette Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 3d day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Township forty-two (42) North, Range three (3) West, New Mexico Principal Meridian, Colorado; thence easterly to the north-east corner of Section three (3), said township; thence southerly to the south-east corner of Section fifteen (15), said township; thence westerly to the north-west corner of Section twenty-two (22), said township; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of the north-west quarter of Section twenty-seven (27), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section thirty-four (34), said township; thence southerly to the north-west corner of Section fourteen (14), Township forty-one (41) North, Range three (3) West; thence easterly to the north-east corner of said section; thence southerly to the south-west corner of Section thirty-six (36), said township; thence easterly along the Tenth (10th) Correction Line North to the north-east corner of Township forty (40) North, Range three (3) West; thence southerly to the south-west corner of Section six (6), Township forty (40) North, Range two (2) West; thence easterly to the north-east corner of Section seven (7), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section

seventeen (17), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section twenty-three (23), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-east corner of said section; thence easterly to the south-west corner of Section twenty-nine (29), Township forty (40) North, Range one (1) West; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly along the section lines, allowing for the proper offset on the Tenth (10th) Correction Line North, to the north-west corner of Section thirty-three (33), Township forty-one (41) North, Range one (1) West; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-seven (27), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-three (23), said township; thence easterly to the south-west corner of Section seventeen (17), Township forty-one (41) North, Range one (1) East; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of the north-west quarter of Section sixteen (16), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-seven (27), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly along the section lines, allowing for the proper offset on the Tenth (10th) Correction Line North, to the north-west corner of Section ten (10), Township forty (40) North, Range one (1) East; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section fourteen (14), said township; thence southerly to the south-west corner of the north-west quarter of Section thirteen (13), said township; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-west corner of Township forty (40) North, Range two (2) East; thence easterly to the north-east corner of Section six (6), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section fifteen (15), said township; thence southerly to the south-west corner of Section twenty-three (23), said township;

thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-east corner of said township; thence easterly to the north-east corner of Section six (6), Township thirty-nine (39) North, Range three (3) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section eight (8), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the south-west corner of Section ten (10), said township; thence northerly to the north-west corner of the south-west quarter of said section; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-west corner of Section eleven (11), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section one (1), said township; thence easterly to the north-east corner of Section five (5), Township thirty-nine (39) North, Range four (4) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section fourteen (14), said township; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of Section two (2), Township thirty-eight (38) North, Range four (4) East; thence southerly to the south-west corner of Section eleven (11), said township; thence easterly to the south-east corner of Section eight (8), Township thirty-eight (38) North, Range five (5) East; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the south-west corner of the south-east quarter of Section thirty-three (33), Township thirty-nine (39) North, Range five (5) East; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the south-west corner of Section twenty-seven (27), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of Section two (2), Township thirty-eight (38) North, Range five (5) East; thence southerly to the north-west corner of Section twenty-three (23), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-east corner of said township; thence easterly to the north-east corner of Section four (4), Township thirty-seven (37) North, Range six (6) East; thence southerly to the south-west corner of Section ten (10),

said township; thence easterly to the north-east corner of Section thirteen (13), said township; thence southerly to the south-east corner of Section twenty-five (25), said township; thence westerly to the south-west corner of Section twenty-six (26), said township; thence northerly to the north-east corner of Section twenty-seven (27), said township; thence westerly to the north-west corner of said section; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly along the Ninth (9th) Correction Line North to the north-west corner of Township thirty-six (36) North, Range six (6) East; thence southerly to the south-west corner of Section seven (7), said township; thence easterly to the north-east corner of Section seventeen (17), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-east corner of said section; thence westerly to the north-west corner of Section twenty-eight (28), said township; thence southerly to the south-east corner of Section thirty-two (32), said township; thence westerly to the south-west corner of said township; thence northerly to the north-east corner of Section twenty-five (25), Township thirty-six (36) North, Range five (5) East; thence westerly to the north-east corner of Section twenty-seven (27), said township; thence southerly to the south-east corner of the north-east quarter of said section; thence westerly to the south-west corner of the north-east quarter of said section; thence southerly to the south-east corner of the south-west quarter of Section thirty-four (34), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section sixteen (16), Township thirty-five (35) North, Range five (5) East; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of the north-east quarter of Section eight (8), said township; thence westerly to the south-west corner of the north-west quarter of Section seven (7), said township; thence southerly to the north-west corner of Section nineteen (19), said township; thence easterly to the north-east corner of said section; thence southerly to the north-west corner of Section seventeen (17), Township thirty-four (34) North, Range five (5) East; thence easterly to the north-east corner of said section; thence southerly to the north-west corner of Section thirty-three (33), said township; thence easterly to the north-east corner of said section; thence southerly to the north-west corner of Section ten (10), Township thirty-three (33) North, Range five (5) East; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly along the Eighth (8th) Correction Line North to its intersection with the eastern boundary of the Tierra

Amarilla Grant; thence in a north-westerly and south-westerly direction along said boundary to its intersection with the quarter-section line between the north-half and the south-half of Section nineteen (19), Township thirty-four (34) North, Range three (3) East; thence westerly to the north-west corner of the south-west quarter of Section twenty-four (24), Township thirty-four (34) North, Range two (2) East; thence southerly to the south-east corner of Section twenty-six (26), Township thirty-three (33) North, Range two (2) East; thence westerly to the south-west corner of Section thirty (30), said township; thence northerly to the north-west corner of Section nineteen (19), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section seventeen (17), said township; thence easterly to the south-west corner of the south-east quarter of Section eight (8), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Section thirty-four (34), Township thirty-four (34) North, Range one (1) East; thence northerly to the north-west corner of Section twenty-two (22), said township; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the north-west corner of Section seven (7), Township thirty-four (34) North, Range two (2) East; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section five (5), said township; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of the south-east quarter of Section twenty (20), Township thirty-five (35) North, Range two (2) East; thence westerly to the north-west corner of the south-west quarter of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of the north-east quarter of Section thirty (30), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the south-east corner of Section twenty-five (25), Township thirty-five (35) North, Range one (1) East; thence southerly to the south-east corner of said township; thence westerly to the south-west corner of Section thirty-four (34), said township; thence northerly to the south-east corner of Section twenty-one (21), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of Section nine (9), said township; thence westerly to the south-west corner of Section six (6), said township; thence northerly along the New Mexico Principal Meridian to the south-east

corner of Township thirty-six (36) North, Range one (1) West; thence westerly to the south-west corner of Section thirty-six (36), said township; thence northerly to the north-east corner of Section fourteen (14), said township; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section ten (10), said township; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section four (4), said township; thence westerly along the Ninth (9th) Correction Line North to the south-west corner of the south-east quarter of Section thirty-four (34), Township thirty-seven (37) North, Range one (1) West; thence northerly to the north-east corner of the north-west quarter of Section twenty-seven (27), said township; thence westerly to the north-west corner of the north-east quarter of Section twenty-eight (28), said township; thence southerly to the south-west corner of the south-east quarter of Section thirty-three (33), said township; thence easterly along the Ninth (9th) Correction Line North to the north-east corner of Section six (6), Township thirty-six (36) North, Range one (1) West; thence southerly to the south-east corner of said section; thence westerly to the north-east corner of Section ten (10), Township thirty-six (36) North, Range two (2) West; thence southerly to the south-east corner of the north-east quarter of said section; thence westerly to the north-west corner of the south-west quarter of said section; thence southerly to the south-east corner of the north-east quarter of Section twenty-one (21), said township; thence westerly to the north-west corner of the south-west quarter of said section; thence southerly to the south-east corner of Section twenty (20), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section eighteen (18), said township; thence westerly to the south-west corner of the south-east quarter of said section; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the north-west corner of said section; thence southerly to the south-east corner of the north-east quarter of Section thirteen (13), fractional Township thirty-six (36) North, Range two and one-half ($2\frac{1}{2}$) West; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of fractional Section ten (10), said township; thence northerly to the north-west corner of fractional Section three (3), said township; thence easterly along the Ninth (9th) Correction Line North to the south-east corner of Section thirty-one (31), Township thirty-seven (37) North, Range two (2) West; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner

of Section twelve (12), Township thirty-seven (37) North, Range three (3) West; thence westerly to the north-west corner of said section; thence southerly to the south-east corner of Section eleven (11), said township; thence westerly to the south-west corner of said section; thence southerly to the north-east corner of Section twenty-two (22), said township; thence westerly to the north-west corner of the north-east quarter of said section; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly along the Ninth (9th) Correction Line North to the north-west corner of Section four (4), Township thirty-six (36) North, Range three (3) West; thence southerly to the south-west corner of Section thirty-three (33), said township; thence easterly to the north-east corner of Section three (3), Township thirty-five (35) North, Range three (3) West; thence southerly to the south-west corner of the north-west quarter of Section fourteen (14), said township; thence easterly to the north-east corner of the south-east quarter of Section thirteen (13), said township; thence southerly to the north-east corner of Section twenty-five (25), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of said township; thence westerly to the south-west corner of Section thirty-four (34), said township; thence northerly to the north-east corner of Section twenty-eight (28), said township; thence westerly to the north-west corner of the north-east quarter of Section twenty-nine (29), said township; thence southerly to the south-east corner of the north-west quarter of Section thirty-two (32), said township; thence westerly to the north-west corner of the south-east quarter of Section thirty-one (31), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the south-east corner of Section thirty-two (32), Township thirty-five (35) North, Range four (4) West; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of Section thirty-five (35), Township thirty-five (35) North, Range five (5) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section twenty-eight (28), said township; thence northerly to the north-east corner of Section twenty (20), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the south-east corner of Township thirty-six (36) North, Range six (6) West; thence westerly to the south-west corner of said township; thence northerly to the north-east corner of Section twelve (12), Township thirty-six (36) North,

Range seven (7) West; thence westerly to the north-west corner of said section; thence southerly to the south-east corner of the north-east quarter of Section eleven (11), said township; thence westerly to the south-west corner of the north-east quarter of said section; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of Section sixteen (16), said township; thence northerly along the section lines, allowing for the proper offset on the Ninth (9th) Correction Line North, to the north-east corner of Section twenty-nine (29), Township thirty-seven (37) North, Range seven (7) West; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-west corner of Section eighteen (18), Township thirty-eight (38) North, Range seven (7) West; thence easterly to the south-east corner of Section ten (10), said township; thence northerly to the north-west corner of Section two (2), said township; thence easterly to the south-east corner of Township thirty-nine (39) North, Range seven (7) West; thence northerly to the north-west corner of Township thirty-nine (39) North, Range six (6) West; thence easterly to the south-east corner of Section thirty-three (33), Township forty (40) North, Range six (6) West; thence northerly along the section lines to the point of intersection with the Tenth (10th) Correction Line North; thence easterly along said Correction Line to the south-east corner of Township forty-one (41) North, Range six (6) West; thence northerly to the north-west corner of Section eighteen (18), Township forty-one (41) North, Range five (5) West; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section five (5), said township; thence easterly to the south-east corner of Section thirty-four (34), Township forty-two (42) North, Range five (5) West; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section twenty-five (25), said township; thence northerly to the north-east corner of said section; thence easterly to the south-west corner of Section twenty-one (21), Township forty-two (42) North, Range four (4) West; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section fifteen (15), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section eleven (11), said township; thence easterly to the south-east corner of Section one (1), said township; thence northerly to the north-west corner of Township forty-two (42) North, Range three (3) West, the place of beginning;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The San Juan Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 3d day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

By the President:

THEODORE ROOSEVELT.

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, the Battlement Mesa Forest Reserve, in the State of Colorado, was established by proclamation dated December twenty-fourth, eighteen hundred and ninety-two, under and by virtue of Section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", which provides, "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", that "the President is hereby author-

ized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve", under which provision the boundary lines of the said forest reserve were changed and the area thereof reduced by proclamation dated May sixteenth, nineteen hundred and four;

And whereas, it appears that the public good would be promoted by further releasing and excluding lands from the said forest reserve, and by including therein additional lands which are in part covered with timber;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power vested in me by the aforesaid act of Congress, approved June fourth, eighteen hundred and ninety-seven, do hereby make known and proclaim that the boundary lines of the aforesaid Battlement Mesa Forest Reserve are hereby further modified so as to read as follows:

Beginning at the north-west corner of Section three (3), Township nine (9) South, Range ninety-seven (97) West, Sixth (6th) Principal Meridian, Colorado; thence easterly to the south-west corner of Section thirty-four (34), Township eight (8) South, Range ninety-six (96) West; thence northerly to the north-west corner of Section twenty-two (22), said township; thence easterly to the south-west corner of Section fifteen (15), Township eight (8) South, Range ninety-five (95) West; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-east corner of Township seven (7) South, Range ninety-five (95) West; thence northerly to the north-west corner of Section nineteen (19), Township seven (7) South, Range ninety-four (94) West; thence easterly to the north-east corner of Section twenty-one (21), Township seven (7) South, Range ninety-three (93) West; thence southerly to the south-east corner of Section thirty-three (33), said township; thence easterly to the north-east corner of Section three (3), Township eight (8) South, Range ninety-three (93) West; thence southerly to the north-west corner of Section fourteen (14), said township; thence easterly to the north-east corner of Section thirteen (13), said township; thence southerly to the south-west corner of Section eighteen (18), Township eight (8) South, Range ninety-two (92) West; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the south-west corner of Township eight (8) South, Range ninety-one (91) West; thence easterly to the south-east corner of Section thirty-two (32), said township; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the north-east corner of Town-

ship eight (8) South, Range ninety (90) West; thence southerly to the north-west corner of Township nine (9) South, Range eighty-nine (89) West; thence easterly to the north-east corner of said township; thence southerly, allowing for the proper offset on the Second (2nd) Correction Line South, to the south-east corner of Township twelve (12) South, Range eighty-nine (89) West; thence westerly to the south-west corner of Township twelve (12) South, Range ninety-three (93) West; thence northerly to the north-east corner of Section twenty-four (24), Township twelve (12) South, Range ninety-four (94) West; thence westerly to the north-east corner of Section twenty-three (23), Township twelve (12) South, Range ninety-five (95) West; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of the north-east quarter of Section ten (10), Township thirteen (13) South, Range ninety-five (95) West; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the north-east corner of Section sixteen (16), said township; thence westerly to the north-west corner of said section; thence southerly to the north-east corner of Section twenty-nine (29), said township; thence westerly to the north-west corner of said section; thence southerly to the south-east corner of Section thirty-one (31), said township; thence westerly to the south-west corner of Section thirty-three (33), Township thirteen (13) South, Range ninety-seven (97) West; thence northerly to the north-east corner of Section thirty-two (32), Township twelve (12) South, Range ninety-seven (97) West; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section five (5), said township; thence easterly to the south-west corner of Township eleven (11) South, Range ninety-six (96) West; thence northerly to the north-west corner of Section eighteen (18), said township; thence easterly to the south-east corner of Section nine (9), said township; thence northerly to the north-west corner of Section three (3), said township; thence easterly along the Second (2nd) Correction Line South to the south-east corner of Township ten (10) South, Range ninety-five (95) West; thence northerly to the north-west corner of Section thirty-one (31), Township ten (10) South, Range ninety-four (94) West; thence easterly to the south-east corner of Section twenty-eight (28), said township; thence northerly to the north-west corner of Section twenty-two (22), said township; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the north-west corner of Section eighteen (18), Township ten (10) South, Range ninety-three (93) West; thence easterly to the south-east corner of Section ten (10), said township; thence northerly to the north-west corner of Section two (2),

said township; thence easterly to the south-east corner of Township nine (9) South, Range ninety-three (93) West; thence northerly to the north-east corner of said township; thence westerly to the north-east corner of Township nine (9) South, Range ninety-five (95) West; thence southerly to the south-east corner of Section thirteen (13), said township; thence westerly to the north-west corner of Section nineteen (19), said township; thence southerly to the south-east corner of Section twenty-four (24), Township nine (9) South, Range ninety-six (96) West; thence westerly to the north-west corner of Section thirty (30), said township; thence southerly to the south-east corner of Township nine (9) South, Range ninety-seven (97) West; thence westerly to the south-west corner of Section thirty-four (34), said township; thence northerly to the north-west corner of Section three (3), said township, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

The lands hereby excluded from the reserve and restored to the public domain shall be open to settlement from the date hereof, but shall not be subject to entry, filing or selection until after ninety days' notice by such publication as the Secretary of the Interior may prescribe.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 5th day of June, in [SEAL.] the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

By the President:

THEODORE ROOSEVELT.

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Idaho, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Idaho and particularly described as follows:

Beginning at the north-west corner of Township thirteen (13) South, Range twenty-one (21) East, Boise Base and Meridian, Idaho; thence southerly to the north-west corner of Section eighteen (18), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-west corner of Section twenty-two (22), said township; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of the north-west quarter of Section three (3), Township fourteen (14) South, Range twenty-one (21) East; thence southerly to the south-east corner of the south-west quarter of Section three (3), Township fifteen (15) South, Range twenty-one (21) East; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section nine (9), Township sixteen (16) South, Range twenty-one (21) East; thence westerly to the south-west corner of Section seven (7), said township; thence southerly to the south-east corner of Section twenty-five (25), Township sixteen (16) South, Range twenty (20) East; thence westerly to the north-east corner of Section thirty-three (33), said township; thence southerly to the boundary line between the States of Idaho and Nevada; thence westerly along said state boundary line to the south-west corner of frac-

tional Section thirty-three (33), Township sixteen (16) South, Range eighteen (18) East; thence northerly to the north-west corner of Section four (4), said township; thence westerly to the north-west corner of said township; thence northerly to the south-east corner of Section twenty-five (25), Township fourteen (14) South, Range seventeen (17) East; thence westerly to the south-west corner of Section twenty-seven (27), said township; thence northerly to the north-west corner of Section three (3), said township; thence westerly to the south-west corner of Section thirty-three (33), Township thirteen (13) South, Range seventeen (17) East; thence northerly to the north-west corner of Section four (4), said township; thence easterly along the Second (2nd) Standard Parallel South to the north-west corner of Township thirteen (13) South, Range twenty-one (21) East, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as the Cassia Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 12th day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows:

Beginning at the north-east corner of Section twenty-one (21), Township nineteen (19) South, Range seventy-one (71) West, Sixth (6th) Principal Meridian, Colorado; thence easterly to the north-west corner of Section nineteen (19), Township nineteen (19) South, Range seventy (70) West; thence southerly to the south-west corner of the north-west quarter of said section; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-nine (29), said township; thence southerly to the south-west corner of Section thirty-three (33), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section fifteen (15), Township twenty (20) South, Range seventy (70) West; thence easterly to the south-east corner of the south-west quarter of said section; thence southerly to the south-west corner of the south-east quarter of Section twenty-seven (27), said township; thence easterly to the north-west corner of Section thirty-six (36), said township; thence southerly to the south-west corner of said section; thence easterly to the north-west corner of Township twenty-one (21) South, Range sixty-nine (69) West; thence southerly to the north-west corner of Section seven (7), said township; thence easterly to the north-east corner of said section;

thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section seventeen (17), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section twenty-one (21), said township; thence southerly to the south-west corner of the south-east quarter of said section; thence easterly to the north-east corner of Section thirty (30), Township twenty-one (21) South, Range sixty-eight (68) West; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section three (3), Township twenty-two (22) South, Range sixty-eight (68) West; thence southerly to the south-east corner of the south-west quarter of Section twenty-seven (27), said township; thence westerly to the north-west corner of Section thirty-three (33), said township; thence southerly to the south-west corner of Section twenty-one (21), Township twenty-three (23) South, Range sixty-eight (68) West; thence easterly to the north-east corner of Section twenty-seven (27), said township; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the south-west corner of said section; thence southerly to the south-west corner of Section twenty-two (22), Township twenty-four (24) South, Range sixty-eight (68) West; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-five (35), said township; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of Section thirty-five (35), Township twenty-five (25) South, Range sixty-eight (68) West; thence westerly to the north-west corner of Section two (2), Township twenty-six (26) South, Range sixty-eight (68) West; thence southerly to the south-east corner of Section ten (10), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty-one (21), said township; thence westerly to the south-west corner of Section twenty (20), said township; thence northerly to the south-east corner of Section six (6), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Section thirty-six (36), Township twenty-five (25) South, Range sixty-nine (69) West; thence northerly to the south-east corner of Section fourteen (14), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section nine (9), said township; thence northerly to the north-west corner of said section; thence westerly to the north-west

corner of Section eleven (11), Township twenty-five (25) South, Range seventy (70) West; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section seventeen (17), said township; thence southerly to the south-east corner of Section nineteen (19), said township; thence westerly to the south-west corner of Section twenty-four (24), Township twenty-five (25) South, Range seventy-one (71) West; thence northerly to the north-west corner of Section twelve (12), said township; thence easterly to the north-east corner of said section; thence northerly to the south-west corner of Township twenty-four (24) South, Range seventy (70) West; thence easterly to the south-east corner of Section thirty-one (31), said township; thence northerly to the north-west corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-one (21), said township; thence easterly to the south-east corner of Section fifteen (15), said township; thence northerly to the north-east corner of Section twenty-seven (27), Township twenty-three (23) South, Range seventy (70) West; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-west corner of said township; thence easterly to the north-east corner of Section five (5), said township; thence southerly to the south-west corner of Section nine (9), said township; thence easterly to the south-east corner of Section ten (10), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section one (1), said township; thence northerly to the south-west corner of Township twenty-two (22) South, Range sixty-nine (69) West; thence easterly to the south-east corner of Section thirty-one (31), said township; thence northerly to the north-east corner of Section thirty (30), said township; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section twelve (12), Township twenty-two (22) South, Range seventy (70) West; thence westerly to the south-east corner of Section three (3), said township; thence northerly to the north-east corner of said section; thence westerly to the south-east corner of Section thirty-three (33), Township twenty-one (21) South, Range seventy (70) West; thence northerly to the north-east corner of the south-east quarter of said section; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-east corner of Section twenty (20), said township; thence westerly to the north-west corner of said section; thence northerly to the south-east corner of Section six (6), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of the

south-east quarter of Section thirty-six (36), Township twenty (20) South, Range seventy-one (71) West; thence northerly to the north-east corner of the north-west quarter of Section twenty-four (24), said township; thence westerly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-east corner of Section nine (9), said township; thence westerly to the north-west corner of said section; thence northerly to the south-west corner of Section twenty-one (21), Township nineteen (19) South, Range seventy-one (71) West; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section, the place of beginning;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Wet Mountains Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 12th day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bear-

ing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof”;

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, “An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes”, that “The President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve”;

And whereas, the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation,

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid acts of Congress, do hereby make known and proclaim that The San Isabel Forest Reserve, in the State of Colorado, established by proclamation of April eleventh, nineteen hundred and two, is hereby so changed and enlarged as to include all those certain tracts, pieces or parcels of land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section twenty-two (22), Township forty-nine (49) North, Range eight (8) East, New Mexico Principal Meridian, Colorado; thence easterly to the north-east corner of Section twenty-one (21), Township forty-nine (49) North, Range nine (9) East; thence southerly to the south-west corner of Section twenty-seven (27), said township; thence easterly to the north-east corner of Section thirty-five (35), said township; thence southerly, allowing for the proper offset on the Twelfth (12th) Correction Line North, to the south-west corner of Section one (1), Township forty-eight (48) North, Range nine (9) East; thence easterly to the north-west corner of Section eight (8), Township forty-eight (48) North, Range ten (10) East; thence southerly to the south-west corner of the north-west quarter of said section; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-west corner of the north-west quarter of Section sixteen (16), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-west corner of Section twenty-seven (27), said township; thence easterly to the south-east corner of said section; thence southerly to the south-

west corner of Section two (2), Township forty-seven (47) North, Range ten (10) East; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section seventeen (17), Township forty-seven (47) North, Range eleven (11) East; thence southerly to the south-west corner of the south-east quarter of said section; thence easterly to the north-west corner of Section twenty-four (24), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty (30), Township forty-seven (47) North, Range twelve (12) East; thence easterly to the north-east corner of Section thirty-two (32), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section four (4), Township forty-six (46) North, Range twelve (12) East; thence southerly to the south-west corner of the south-east quarter of Section nine (9), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section twenty-seven (27), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-five (35), said township; thence easterly to the north-east corner of Section two (2), Township forty-five (45) North, Range twelve (12) East; thence southerly to the south-west corner of fractional Section twelve (12), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of the north-west quarter of Section thirty (30), Township twenty-two (22) South, Range seventy-three (73) West, Sixth (6th) Principal Meridian; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-west corner of Section thirty-two (32), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section four (4), Township twenty-three (23) South, Range seventy-three (73) West; thence easterly to the north-east corner of the north-west quarter of Section nine (9), said township; thence southerly to the south-west corner of the south-east quarter of said section; thence easterly to the north-east corner of the north-west quarter of Section fifteen (15), said township; thence southerly to the south-west corner of the south-east quarter of Section twenty-two (22), said township; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-west corner of Section thirty-six (36), said township; thence easterly to the north-east corner of Township twenty-four (24) South, Range seventy-three (73) West; thence southerly to the south-west corner of Section

six (6), Township twenty-four (24) South, Range seventy-two (72) West; thence easterly to the south-east corner of the south-west quarter of said section; thence southerly to the south-west corner of the south-east quarter of Section eighteen (18), said township; thence easterly to the north-east corner of the north-west quarter of Section twenty (20), said township; thence southerly to the south-west corner of the south-east quarter of said section; thence easterly to the north-east corner of the north-west quarter of Section twenty-eight (28), said township; thence southerly to the south-west corner of the south-east quarter of Section thirty-three (33), said township; thence easterly to the north-west corner of Section two (2), Township twenty-five (25) South, Range seventy-two (72) West; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of Section two (2), Township twenty-six (26) South, Range seventy-two (72) West; thence southerly to the south-east corner of Section twenty-two (22), said township; thence westerly to the north-west corner of the north-east quarter of Section twenty-eight (28), said township; thence southerly to the south-east corner of the north-west quarter of Section nine (9), Township twenty-seven (27) South, Range seventy-two (72) West; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the north-east corner of Section thirty-two (32), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of the south-west quarter of Section thirty-five (35), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the north-east corner of the north-west quarter of Section thirty-four (34), Township twenty-seven (27) South, Range seventy-one (71) West; thence southerly along the quarter-section lines to the point of intersection with the northern boundary of the Sangre de Cristo Grant; thence in a general south-westerly direction along the boundary of said grant to the point of intersection with the section line between Sections fifteen (15) and sixteen (16), Township twenty-nine (29) South, Range seventy-three (73) West; thence northerly to the south-east corner of Section nine (9), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of Section twenty-eight (28), Township twenty-eight (28) South, Range seventy-three (73) West; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-seven (27), Township twenty-seven (27) South, Range seventy-three (73) West; thence easterly to the

north-east corner of said section; thence northerly to the north-west corner of Section two (2), said township; thence easterly to the south-east corner of Section thirty-five (35), Township twenty-six (26) South, Range seventy-three (73) West; thence northerly to the south-east corner of Section two (2), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty-three (33), Township twenty-five (25) South, Range seventy-three (73) West; thence northerly to the south-east corner of Section twenty (20), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly along the section lines, allowing for the proper offset, to the point of intersection with the eastern boundary of the Luis Maria Baca Grant Number 4; thence along the eastern and northern boundary of said grant to the south-west corner of Section eight (8), Township forty-three (43) North, Range twelve (12) East, New Mexico Principal Meridian; thence northerly to the north-east corner of fractional Section six (6), said township; thence westerly to the south-west corner of Section thirty-five (35), Township forty-four (44) North, Range eleven (11) East; thence northerly to the south-east corner of Section twenty-two (22), said township; thence westerly to the south-west corner of the south-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the north-west corner of said section; thence northerly to the south-east corner of Section four (4), said township; thence westerly to the south-west corner of the south-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of Section thirty-three (33), Township forty-five (45) North, Range eleven (11) East; thence northerly to the south-east corner of Section twenty-nine (29), said township; thence westerly to the south-west corner of the south-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section eighteen (18), said township; thence westerly to the north-west corner of the north-east quarter of said section; thence northerly to the south-east corner of the south-west quarter of Section seven (7), Township forty-six (46) North, Range eleven (11) East; thence westerly to the south-west corner of said section; thence northerly to the north-east corner of the south-east quarter of Section twelve (12), Township forty-six (46) North, Range ten (10) East; thence westerly to the north-west corner of the south-east quarter of said section; thence northerly to the north-east corner of the south-west quarter of

Section one (1), said township; thence westerly to the south-east corner of the north-east quarter of Section four (4); said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of the south-east quarter of Section thirty-three (33), Township forty-seven (47) North, Range ten (10) East; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of the south-east quarter of Section twenty-nine (29), said township; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of the south-east quarter of Section nineteen (19), said township; thence northerly to the south-east corner of the south-west quarter of Section eighteen (18), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section twelve (12), Township forty-seven (47) North, Range nine (9) East; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of the north-east quarter of Section eleven (11), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-west corner of said section; thence westerly to the south-east corner of Section four (4), said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of Section thirty-three (33), Township forty-eight (48) North, Range nine (9) East; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section twenty-nine (29), said township; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of the south-east quarter of Section nineteen (19), said township; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of the south-east quarter of Section thirteen (13), Township forty-eight (48) North, Range eight (8) East; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of Section twelve (12), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section four (4), said township; thence northerly, allowing for the proper offset on the Twelfth (12) Correction Line North, to the north-west corner of Section thirty-three (33), Township forty-nine (49) North, Range eight (8) East; thence easterly to the north-east corner of the north-west quarter of said section; thence northerly to the north-west corner of the north-east quarter of Section twenty-eight (28), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-two (22), said township, the place of beginning;

such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 12th day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section four (4), Township eleven (11) North, Range ninety (90) West, Sixth (6th) Principal Meridian, Colorado; thence easterly to the north-east corner of Section six (6), Township eleven (11) North, Range eighty-nine (89) West; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section eight (8), said township; thence southerly to the south-east corner of Section twenty-nine (29), said township; thence easterly to the north-west corner of Section thirty-six (36), said township; thence southerly to the north-west corner of the south-west quarter of said section; thence easterly to the north-east corner of the south-east quarter of Section thirty-three (33), Township eleven (11) North, Range eighty-seven (87) West; thence northerly to the north-east corner of said section; thence westerly to the south-east corner of Section thirty (30), said township; thence northerly to the south-east corner of the north-east quarter of said section; thence westerly to the south-west corner of the north-east quarter of Section twenty-eight (28), Township eleven (11) North, Range eighty-eight (88) West; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the south-east corner of Section thirteen (13), Township eleven (11) North, Range eighty-nine (89) West; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of the north-east quarter of Section fourteen (14), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the south-east corner of Section three (3), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of Section six (6), Township eleven (11) North, Range eighty-eight (88) West; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-west corner of Section seven (7), Township eleven (11) North, Range eighty-seven (87) West; thence easterly to the north-east corner of Section fourteen (14), said township; thence southerly to the north-west corner of the south-west quarter of Section twenty-four (24), said township; thence easterly

to the north-east corner of the south-east quarter of Section nineteen (19), Township eleven (11) North, Range eighty-six (86) West; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of the north-east quarter of said section; thence easterly to the north-east corner of the south-east quarter of Section ten (10), said township; thence northerly to the north-west corner of Section two (2), said township; thence easterly to the north-east corner of Section six (6), Township eleven (11) North, Range eighty-five (85) West; thence southerly to the south-east corner of Section nineteen (19), said township; thence easterly to the south-west corner of Section twenty-three (23), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the south-east corner of Section two (2), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section thirty-three (33), Township twelve (12) North, Range eighty-five (85) West; thence northerly to the north-west corner of the south-east quarter of Section twenty-eight (28), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence northerly to the south-east corner of the north-east quarter of Section twenty-one (21), said township; thence westerly to the south-west corner of the north-west quarter of Section twenty (20), said township; thence northerly to the boundary line between the States of Colorado and Wyoming; thence easterly along said state boundary line to its intersection with the range line between Ranges eighty-four (84) and eighty-five (85) West; thence southerly to the north-west corner of the south-west quarter of Section nineteen (19), Township twelve (12) North, Range eighty-four (84) West; thence easterly to the north-east corner of the south-east quarter of Section twenty (20), said township; thence southerly to the south-east corner of said section; thence easterly to the south-east corner of Section twenty-one (21), Township twelve (12) North, Range eighty-three (83) West; thence northerly to the boundary line between the States of Colorado and Wyoming; thence easterly along said state boundary line to its intersection with the section line between Sections twenty-two (22) and twenty-three (23), Township twelve (12) North, Range eighty-two (82) West; thence southerly to the south-west corner of Section twenty-six (26), said township; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-east corner of Section twenty-five (25), Township eleven (11) North, Range eighty-two (82) West; thence westerly to the south-west corner of said sec-

tion; thence southerly to the north-east corner of Section thirty-five (35), Township nine (9) North, Range eighty-two (82) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly along the Second (2nd) Correction Line North to the north-east corner of Section two (2), Township eight (8) North, Range eighty-two (82) West; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section ten (10), Township seven (7) North, Range eighty-two (82) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty-three (33), Township six (6) North, Range eighty-two (82) West; thence easterly to the north-east corner of the north-west quarter of Section one (1), Township five (5) North, Range eighty-two (82) West; thence southerly to the south-east corner of the south-west quarter of Section twelve (12), said township; thence westerly to the north-east corner of Section fifteen (15), said township; thence southerly to the south-east corner of Section thirty-four (34), said township; thence easterly along the First (1st) Correction Line North to the north-east corner of the north-west quarter of Section three (3), Township four (4) North, Range eighty-two (82) West; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the south-west corner of said section; thence southerly to the north-east corner of Section sixteen (16), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the north-west corner of Section ten (10), Township two (2) North, Range eighty-two (82) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section thirteen (13), said township; thence southerly to the south-east corner of the south-west quarter of Section twenty-four (24), said township; thence westerly to the south-west corner of said section; thence southerly to the north-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of Section thirty-five (35), Township two (2) North, Range eighty-three (83) West; thence northerly along the section lines to the point of intersection with the First (1st) Correction Line North; thence westerly along said Correction Line to the south-west corner of Section thirty-six (36), Township five (5) North, Range eighty-four (84) West; thence northerly to the south-east corner of Section twenty-six (26), Township six

(6) North, Range eighty-four (84) West; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section three (3), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence easterly to the south-east corner of Section thirty-five (35), Township seven (7) North, Range eighty-four (84) West; thence northerly to the north-east corner of Section twenty-six (26), said township; thence westerly to the north-west corner of said section; thence northerly to the south-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section seven (7), said township; thence northerly along the range line, allowing for the proper offset on the Second (2nd) Correction Line North to the north-east corner of Township nine (9) North, Range eighty-five (85) West; thence westerly to the south-west corner of Section thirty-five (35), Township ten (10) North, Range eighty-five (85) West; thence northerly to the south-east corner of Section twenty-two (22), said township; thence westerly to the north-east corner of Section thirty (30), said township; thence southerly to the south-east corner of Section thirty-one (31), said township; thence westerly to the north-east corner of Township nine (9) North, Range eighty-six (86) West; thence southerly to the south-east corner of the north-east quarter of Section thirty-six (36), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-west corner of said section; thence westerly to the north-east corner of Section thirty-four (34), said township; thence southerly to the south-east corner of the north-east quarter of said section; thence westerly to the south-west corner of the north-west quarter of Section thirty-three (33), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty (30), said township; thence southerly along the range line, allowing for the proper offset on the Second (2nd) Correction Line North, to the south-east corner of Section thirteen (13), Township seven (7) North, Range eighty-seven (87) West; thence westerly to the south-west corner of the south-east quarter of Section seventeen (17), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the north-east corner of said section; thence northerly to the south-west corner of the north-west quarter of Section nine (9), said township; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the south-west corner of Section ten (10), Township eight (8) North, Range eighty-seven (87) West; thence easterly to the south-west corner of

the south-east quarter of said section; thence northerly, allowing for the proper offset on the Second (2nd) Correction Line North, to the north-west corner of the north-east quarter of Section thirty-four (34), Township nine (9) North, Range eighty-seven (87) West; thence westerly to the south-west corner of the south-east quarter of Section twenty-nine (29), said township; thence northerly to the north-west corner of the north-east quarter of Section twenty (20), said township; thence easterly to the south-west corner of Section fourteen (14), said township; thence northerly to the north-west corner of Section two (2), said township; thence westerly to the south-west corner of the south-east quarter of Section thirty-four (34), Township ten (10) North, Range eighty-seven (87) West; thence northerly to the north-west corner of the south-east quarter of Section twenty-seven (27), said township; thence easterly to the south-west corner of the north-east quarter of Section twenty-six (26), said township; thence northerly to the north-west corner of the north-east quarter of Section fourteen (14), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-east corner of the north-west quarter of Section twenty-one (21), said township; thence southerly to the south-east corner of the south-west quarter of Section thirty-three (33), said township; thence westerly to the north-east corner of Section five (5), Township nine (9) North, Range eighty-seven (87) West; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence southerly to the south-east corner of Section twelve (12), Township nine (9) North, Range eighty-eight (88) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section fourteen (14), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the south-east corner of Section twelve (12), Township nine (9) North, Range eighty-nine (89) West; thence westerly to the south-west corner of Section seven (7), said township; thence northerly to the south-east corner of Section twenty-five (25), Township eleven (11) North, Range ninety (90) West; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-east corner of Section twenty-two (22), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the south-east corner of Section nine (9), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of Section four (4), said township, the place of beginning;

Excepting from the force and effect of this proclamation all lands

which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as the Park Range Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 12th day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, The Washington Forest Reserve, in the State of Washington, was established by proclamation dated February twenty-second, eighteen hundred and ninety-seven, under and by virtue of section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", which provides "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", that "the President is hereby authorized at

any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve"; under which provision, the boundary lines of the said forest reserve were changed and reduced by proclamation dated April third, nineteen hundred and one;

And whereas, it appears that the public good would be promoted by further releasing and excluding certain lands from the said forest reserve, and by including therein certain additional lands which are in part covered with timber;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid act of Congress, approved June fourth, eighteen hundred and ninety-seven, do hereby make known and proclaim that the boundary lines of the aforesaid Washington Forest Reserve are hereby further modified so as to read as follows:

Beginning at the point where the range line between Ranges six (6) and seven (7) East, Willamette Meridian, Washington, intersects the international boundary line between the United States of America and the British Possessions; thence easterly along said international boundary line to the point of intersection with the range line between Ranges twenty-four (24) and twenty-five (25) East; thence southerly, allowing for the proper offset on the Ninth (9th) Standard Parallel North, to the south-east corner of Section twelve (12), Township thirty-six (36) North, Range twenty-four (24) East; thence westerly to the north-west corner of Section sixteen (16), said township; thence southerly to the south-east corner of Section twenty (20), said township; thence westerly to the north-west corner of Section thirty (30), said township; thence southerly to the south-west corner of Township thirty-five (35) North, Range twenty-four (24) East; thence easterly to the north-east corner of Section three (3), Township thirty-four (34) North, Range twenty-four (24) East; thence southerly to the south-west corner of Section eleven (11), said township; thence easterly to the north-east corner of Section thirteen (13), said township; thence southerly to the south-east corner of Section twenty-four (24), said township; thence westerly to the north-west corner of the north-east quarter of Section twenty-five (25), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the north-west corner of Section thirty-five (35), said township; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the north-west corner of Section four (4), Township thirty-three (33) North, Range twenty-four (24) East; thence southerly to the south-west corner of

said section; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-west corner of the north-west quarter of Section ten (10), said township; thence easterly to the north-east corner of the south-west quarter of Section twelve (12), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section thirteen (13), said township; thence southerly to the south-east corner of Section twenty-five (25), said township; thence westerly to the south-west corner of Section twenty-nine (29), Township thirty-three (33) North, Range twenty-three (23) East; thence northerly to the north-east corner of Section nineteen (19), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-west corner of the south-west quarter of said section; thence easterly to the north-east corner of the south-east quarter of Section seventeen (17), said township; thence southerly to the south-west corner of Section sixteen (16), said township; thence easterly to the south-east corner of said section; thence northerly to the north-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of Section ten (10), said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of Section four (4), said township; thence northerly to the north-east corner of Section thirty-two (32), Township thirty-four (34) North, Range twenty-three (23) East; thence westerly to the south-west corner of Section thirty (30), said township; thence northerly to the north-east corner of Township thirty-four (34) North, Range twenty-two (22) East; thence westerly to the south-east corner of Section thirty-two (32), Township thirty-five (35) North, Range twenty-two (22) East; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section thirty (30), said township; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-east corner of Township thirty-five (35) North, Range twenty-one (21) East; thence westerly to the north-west corner of said township; thence southerly to the south-east corner of the north-east quarter of Section thirteen (13), Township thirty-five (35) North, Range twenty (20) East; thence westerly to the south-east corner of the north-east quarter of Section fifteen (15), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of the north-east quarter of said section; thence northerly to the north-east corner of the south-west quarter of Section three (3), said township; thence westerly to the north-west corner of the south-west quarter of said section; thence northerly to the north-east corner of Section four (4), said township;

thence westerly to the north-west corner of Section five (5), said township; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of the north-west quarter of Section nine (9), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of the north-west quarter of Section twenty-three (23), said township; thence easterly to the north-east corner of the south-west quarter of said section; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-six (36), said township; thence easterly to the north-east corner of Township thirty-four (34) North, Range twenty (20) East; thence southerly to the south-west corner of Section eighteen (18), Township thirty-three (33) North, Range twenty-one (21) East; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly, allowing for the proper offset on the Eighth (8th) Standard Parallel North, to the south-east corner of Section thirteen (13), Township thirty-two (32) North, Range twenty-one (21) East; thence westerly to the north-west corner of Section nineteen (19), said township; thence southerly to the south-west corner of said township; thence easterly to the north-east corner of Township thirty-one (31) North, Range twenty-one (21) East; thence southerly to the south-west corner of Township thirty-one (31) North, Range twenty-two (22) East; thence easterly to the north-east corner of Section two (2), Township thirty (30) North, Range twenty-two (22) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of the north-west quarter of Section twelve (12), said township; thence southerly to the south-west corner of the south-east quarter of Section twenty-four (24), said township; thence easterly to the south-east corner of said section; thence southerly to the north-west corner of the south-west quarter of Section thirty (30), Township thirty (30) North, Range twenty-three (23) East; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-two (32), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section four (4), Township twenty-nine (29) North, Range twenty-three (23) East; thence southerly to the south-east corner of Section twenty-one (21), said township; thence westerly to the north-west corner of Section thirty (30), said township; thence southerly

to the south-east corner of Township twenty-nine (29) North, Range twenty-two (22) East; thence westerly along the Seventh (7th) Standard Parallel North, allowing for proper offsets, to the south-west corner of Township twenty-nine (29) North, Range eight (8) East; thence northerly to the north-west corner of Section eighteen (18), Township thirty (30) North, Range eight (8) East; thence easterly to the north-west corner of Section fifteen (15), said township; thence southerly to the south-west corner of the north-west quarter of said section; thence easterly to the south-east corner of the north-west quarter of said section; thence southerly to the south-west corner of the south-east quarter of said section; thence easterly to the south-east corner of the south-west quarter of Section fourteen (14), said township; thence northerly to the north-east corner of the south-west quarter of Section eleven (11), said township; thence westerly to the north-west corner of the south-west quarter of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section three (3), said township; thence northerly to the north-west corner of the south-west quarter of said section; thence westerly to the south-west corner of the north-west quarter of Section five (5), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Township thirty-one (31) North, Range eight (8) East; thence northerly to the north-east corner of Section twenty-four (24), Township thirty-one (31) North, Range seven (7) East; thence westerly to the south-west corner of Section thirteen (13), said township; thence northerly to the north-east corner of Section eleven (11), said township; thence westerly to the south-west corner of Section four (4), said township; thence northerly to the north-west corner of said section; thence easterly to the south-east corner of Township thirty-two (32) North, Range seven (7) East; thence northerly to the north-west corner of Section nineteen (19), Township thirty-two (32) North, Range eight (8) East; thence easterly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of Section thirteen (13), said township; thence southerly to the north-west corner of Section nineteen (19), Township thirty-two (32) North, Range nine (9) East; thence easterly to the north-west corner of Section twenty (20), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of the north-west quarter of Section twenty-eight (28), said township; thence easterly to the south-west corner of the north-west quarter of Section twenty-five (25), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner

of the south-west quarter of said section; thence southerly to the south-west corner of the north-east quarter of Section thirty-six (36), said township; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-west corner of Section eighteen (18), Township thirty-two (32) North, Range ten (10) East; thence easterly to the south-east corner of Section eight (8), said township; thence northerly to the north-west corner of Section nine (9), said township; thence easterly to the south-east corner of Section four (4), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of the south-west quarter of Section thirty-two (32), Township thirty-three (33) North, Range eleven (11) East; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence northerly to the north-east corner of the south-east quarter of Section thirty (30), said township; thence westerly to the south-east corner of the south-west quarter of the north-east quarter of said section; thence northerly to the north-east corner of the south-west quarter of the north-east quarter of said section; thence westerly to the north-west corner of the south-west quarter of the north-east quarter of said section; thence northerly to the south-east corner of the north-west quarter of Section eighteen (18), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-east corner of Section twelve (12), Township thirty-three (33) North, Range ten (10) East; thence westerly to the south-west corner of Section one (1), said township; thence northerly to the north-east corner of Section two (2), said township; thence westerly to the south-west corner of Section thirty-three (33), Township thirty-four (34) North, Range ten (10) East; thence northerly to the north-west corner of Section nine (9), said township; thence easterly to the south-east corner of Section one (1), said township; thence northerly to the north-west corner of Township thirty-four (34) North, Range eleven (11) East; thence easterly to the south-east corner of Township thirty-five (35) North, Range eleven (11) East; thence northerly to the north-east corner of Section twelve (12), said township; thence westerly to the south-east corner of Section five (5), said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of the south-east quarter of Section thirty-two (32), Township thirty-six (36) North, Range eleven (11) East; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the south-east corner of Section twenty-nine (29), said township; thence northerly to the north-west corner of the south-west quarter of Section twenty-eight (28), said township; thence easterly to the north-east

corner of the south-east quarter of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of the south-west quarter of Section twenty-two (22), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the south-east corner of Section fifteen (15), said township; thence northerly to the south-west corner of Section eleven (11), said township; thence easterly to the south-east corner of the south-west quarter of said section; thence northerly to the north-east corner of the south-west quarter of said section; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section one (1), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of the north-east quarter of said section; thence southerly to the south-east corner of the north-west quarter of said section; thence westerly to the north-west corner of the south-west quarter of Section two (2), said township; thence southerly to the north-east corner of the south-east quarter of Section ten (10), said township; thence westerly to the north-west corner of the south-east quarter of said section; thence southerly to the south-west corner of the south-east quarter of said section; thence westerly to the north-west corner of Section fifteen (15), said township; thence southerly to the north-east corner of Section twenty-one (21), said township; thence westerly to the north-west corner of the north-east quarter of said section; thence southerly to the south-west corner of the north-east quarter of said section; thence westerly to the north-west corner of the south-west quarter of Section twenty (20), said township; thence southerly to the south-east corner of Section nineteen (19), said township; thence westerly to the north-west corner of the north-east quarter of Section thirty (30), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the north-west corner of Section thirty-one (31), said township; thence southerly to the south-east corner of the north-east quarter of Section one (1), Township thirty-five (35) North, Range ten (10) East; thence westerly to the south-west corner of the north-east quarter of said section; thence southerly to the south-east corner of the north-west quarter of Section twelve (12), said township; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of the north-east quarter of Section fourteen (14), said township; thence southerly to the south-west corner of the north-east quarter of said section; thence westerly to the north-west corner of the south-east quarter of Section fifteen (15), said township; thence southerly to the south-east

corner of the north-west quarter of Section twenty-two (22), said township; thence westerly to the south-west corner of the north-east quarter of Section twenty (20), said township; thence northerly to the south-west corner of the south-east quarter of Section eight (8), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of the south-west quarter of Section four (4), said township; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the north-west corner of the north-east quarter of Section five (5), said township; thence southerly to the south-west corner of the south-east quarter of said section; thence westerly to the north-west corner of Section seven (7), said township; thence southerly to the south-west corner of the north-west quarter of Section eighteen (18), said township; thence easterly to the south-east corner of the north-west quarter of said section; thence southerly to the south-east corner of the south-west quarter of Section nineteen (19), said township; thence westerly to the south-west corner of Section twenty-three (23), Township thirty-five (35) North, Range nine (9) East; thence northerly to the north-east corner of Section twenty-two (22), said township; thence westerly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-west corner of Section ten (10), said township; thence easterly to the south-east corner of the south-west quarter of Section three (3), said township; thence northerly to the south-west corner of the north-east quarter of said section; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Township thirty-six (36) North, Range nine (9) East; thence northerly to the north-east corner of Section twenty-five (25), said township; thence westerly to the north-west corner of Section twenty-six (26), said township; thence southerly to the south-east corner of Section twenty-seven (27), said township; thence westerly to the north-west corner of Section thirty-four (34), said township; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the south-west corner of the south-east quarter of Section thirty-two (32), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the south-east corner of Section twenty-nine (29), said township; thence northerly to the north-west corner of Section twenty-one (21), said township; thence easterly to the south-east corner of Section sixteen (16), said township; thence northerly to the north-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of the south-west quarter of Section ten (10), said township; thence northerly to

the north-east corner of the south-west quarter of said section; thence easterly to the south-east corner of the north-west quarter of Section eleven (11), said township; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the north-west corner of Section nine (9), said township; thence southerly to the south-east corner of the north-east quarter of Section eight (8), said township; thence westerly to the south-west corner of the north-east quarter of said section; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of the south-west quarter of Section five (5), said township; thence easterly to the north-east corner of the south-west quarter of said section; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the north-west corner of Section four (4), Township thirty-six (36) North, Range eight (8) East; thence southerly to the south-east corner of Section five (5), said township; thence westerly to the south-west corner of said section; thence northerly to the north-east corner of the south-east quarter of Section six (6), said township; thence westerly to the north-west corner of the south-west quarter of said section; thence southerly to the south-east corner of Section one (1), Township thirty-six (36) North, Range seven (7) East; thence westerly to the north-west corner of Section ten (10), said township; thence southerly to the south-west corner of said section; thence westerly to the south-east corner of the south-west quarter of Section eight (8), said township; thence northerly to the north-east corner of the south-west quarter of said section; thence westerly to the north-west corner of the south-west quarter of said section; thence northerly to the north-east corner of Section six (6), said township; thence westerly to the south-west corner of Township thirty-seven (37) North, Range seven (7) East; thence northerly to the north-east corner of Section thirty-six (36), Township thirty-seven (37) North, Range six (6) East; thence westerly to the south-west corner of Section twenty-five (25), said township; thence northerly to the north-east corner of Section twenty-six (26), said township; thence westerly to the south-west corner of Section twenty-three (23), said township; thence northerly to the north-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of the south-east quarter of Section ten (10), said township; thence northerly to the north-west corner of the north-east quarter of Section three (3), said township; thence easterly to the south-east corner of Section thirty-four (34), Township thirty-eight (38) North, Range six (6) East; thence northerly to the north-west corner of Section thirty-five (35), said township; thence easterly to the south-east corner of Section twenty-five (25), said township;

thence northerly to north-east corner of Section twenty-four (24), said township; thence westerly to the south-west corner of Section thirteen (13), said township; thence northerly to the north-east corner of Section thirty-five (35), Township thirty-nine (39) North, Range six (6) East; thence westerly to the south-west corner of Section twenty-six (26), said township; thence northerly to the north-west corner of Section twenty-three (23), said township; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly along the range line to the point of intersection with the international boundary line between the United States of America and the British Possessions, the place of beginning;

And further beginning at the north-west corner of Section thirty (30), Township thirty-five (35) North, Range seven (7) East; thence easterly to the north-east corner of the north-west quarter of Section twenty-nine (29), said township; thence southerly to the south-east corner of the north-west quarter of said section; thence easterly to the north-east corner of the south-west quarter of Section twenty-seven (27), said township; thence southerly to the south-east corner of the south-west quarter of said section; thence easterly to the north-east corner of Section thirty-four (34), said township; thence southerly to the north-west corner of the south-west quarter of Section thirty-five (35), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-west corner of Section thirty-six (36), said township; thence easterly to the north-east corner of Section two (2), Township thirty-four (34) North, Range eight (8) East; thence southerly to the south-west corner of Section one (1), said township; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-west corner of Section eighteen (18), Township thirty-four (34) North, Range nine (9) East; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-west corner of Section thirty-five (35), said township; thence easterly to the north-east corner of Township thirty-three (33) North, Range nine (9) East; thence southerly to the south-east corner of Section thirteen (13), said township; thence westerly to the north-east corner of the north-west quarter of Section twenty-four (24), said township; thence southerly to the south-east corner of the north-west quarter of said section; thence westerly to the south-west corner of the north-west quarter of said section; thence southerly to the south-west corner of Section thirty-six (36), said township; thence easterly to the north-east corner of Township thirty-two (32) North, Range nine (9) East; thence southerly to the south-east corner of the north-east quarter of the south-east quarter of Section one (1), said township; thence westerly to the south-west corner of the north-

west quarter of the south-east quarter of said section; thence southerly to the south-east corner of the south-west quarter of said section; thence westerly to the south-west corner of the south-east quarter of Section two (2), said township; thence northerly, allowing for the proper offset on the Eighth (8th) Standard Parallel North to the north-east corner of the south-west quarter of Section thirty-five (35), Township thirty-three (33) North, Range nine (9) East; thence westerly to the north-west corner of the south-west quarter of said section; thence northerly to the north-east corner of the south-east quarter of Section twenty-two (22), said township; thence westerly to the north-west corner of the south-east quarter of said section; thence southerly to the south-west corner of the south-east quarter of said section; thence westerly to the north-west corner of Section twenty-seven (27), said township; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the north-west corner of the north-east quarter of the north-east quarter of Section four (4), Township thirty-two (32) North, Range nine (9) East; thence southerly to the south-west corner of the south-east quarter of the north-east quarter of said section; thence westerly to the south-east corner of the south-west quarter of the north-west quarter of said section; thence northerly to the north-east corner of the north-west quarter of the north-west quarter of said section; thence westerly to the north-west corner of said township; thence southerly to the south-east corner of the north-east quarter of Section one (1), Township thirty-two (32) North, Range eight (8) East; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the north-west corner of said section; thence westerly to the north-west corner of Section two (2), said township; thence southerly to the south-east corner of the north-east quarter of the north-east quarter of Section three (3), said township; thence westerly to the south-west corner of the north-west quarter of the north-west quarter of Section six (6), said township; thence northerly, allowing for the proper offset on the Eighth (8th) Standard Parallel North, to the north-east corner of Section thirty-six (36), Township thirty-four (34) North, Range seven (7) East; thence westerly to the north-west corner of Section thirty-five (35), said township; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the south-west corner of Section thirty-two (32), said township; thence northerly to the north-east corner of Section thirty (30), said township; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-west corner of Section thirty (30), Township thirty-five (35) North, Range seven (7) East, the place of beginning;

Such of the above-named corners as have not been established by

the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

The lands hereby excluded from the reserve and restored to the public domain shall be open to settlement from the date hereof, but shall not be subject to entry, filing or selection until after ninety days' notice by such publication as the Secretary of the Interior may prescribe.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12th day of June, in [SEAL.] the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Township fifty (50) North, Range four (4) East, New Mexico Principal Meridian, Colorado; thence easterly to the north-east corner of Section two (2), Township fifty (50) North, Range seven (7) East; thence southerly to the south-east corner of Section eleven (11), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty-two (22), said township; thence westerly to the south-west corner of said section; thence southerly to the south-west corner of Section fifteen (15), Township forty-nine (49) North, Range seven (7) East; thence easterly to the north-east corner of Section twenty-three (23), said township; thence southerly along the section lines, allowing for the proper offset on the Twelfth (12th) Correction Line North, to the south-west corner of Section one (1), Township forty-eight (48) North, Range seven (7) East; thence easterly to the north-east corner of Section seven (7), Township forty-eight (48) North, Range eight (8) East; thence southerly to the north-west corner of Section twenty (20), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-four (34), said township; thence southerly to the north-west corner of Section twenty-three (23), Township forty-seven (47) North, Range eight (8) East; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section fourteen (14), Township forty-six (46) North, Range eight (8) East; thence westerly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section nine (9), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-east corner of Section twenty-five (25), Township forty-seven (47) North, Range seven (7)

East; thence westerly to the north-west corner of said section; thence southerly to the north-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of Section two (2), Township forty-six (46) North, Range seven (7) East; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of the north-west quarter of Section twelve (12), said township, thence easterly to the south-east corner of the north-east quarter of said section; thence southerly to the south-west corner of Section seven (7), Township forty-six (46) North, Range eight (8) East; thence easterly to the south-east corner of the south-west quarter of said section; thence southerly to the south-west corner of the north-east quarter of Section thirty-one (31), said township; thence easterly to the south-east corner of the north-east quarter of Section thirty-five (35), said township; thence northerly to the north-west corner of Section twenty-five (25), said township; thence easterly to the north-east corner of Section thirty (30), Township forty-six (46) North, Range nine (9) East; thence southerly to the south-east corner of Section six (6), Township forty-five (45) North, Range nine (9) East; thence westerly to the north-east corner of Section eleven (11), Township forty-five (45) North, Range eight (8) East; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of Section sixteen (16), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section seven (7), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section three (3), Township forty-five (45) North, Range seven (7) East; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Township forty-six (46) North, Range seven (7) East; thence northerly to the north-west corner of Section thirty (30), said township; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of Section eighteen (18), said township; thence westerly to the south-west corner of Section twelve (12), Township forty-six (46) North, Range six (6) East; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section two (2), said township; thence northerly to the north-west corner of said section; thence westerly to the north-west corner of Section five (5), said township; thence southerly to the south-east corner of Section nineteen (19), said township; thence westerly to the south-west corner of Section twenty-four (24), Township forty-six (46) North, Range five (5) East; thence northerly to the north-

west corner of said section; thence westerly to the north-west corner of Section nineteen (19), said township; thence southerly to the north-east corner of Section thirty-six (36), Township forty-six (46) North, Range four (4) East; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section two (2), Township forty-five (45) North, Range four (4) East; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly along the Eleventh (11th) Correction Line North to the north-west corner of Section four (4), Township forty-four (44) North, Range four (4) East; thence southerly to the south-west corner of Section sixteen (16), said township; thence easterly to the south-east corner of the south-west quarter of Section thirteen (13), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Township forty-four (44) North, Range five (5) East; thence easterly along the Eleventh (11th) Correction Line North to the north-east corner of Section six (6), Township forty-four (44) North, Range six (6) East; thence southerly to the north-west corner of Section seventeen (17), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-east corner of Section one (1), Township forty-three (43) North, Range six (6) East; thence westerly to the north-west corner of Section eleven (11), said township; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section sixteen (16), said township; thence southerly to the north-east corner of Section thirty-two (32), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section two (2), Township forty-two (42) North, Range five (5) East; thence southerly to the north-east corner of Section fifteen (15), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section twenty-one (21), said township; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section thirty (30), said township; thence southerly to the south-east corner of Section thirteen (13), Township forty-one (41) North, Range four (4) East; thence westerly to the north-west corner of Section nineteen (19), said township; thence

southerly to the south-west corner of said section; thence easterly to the south-east corner of the south-west quarter of said section; thence southerly to the north-west corner of the north-east quarter of Section thirty-one (31), said township; thence easterly to the north-east corner of said section; thence southerly along the section lines, allowing for the proper offset on the Tenth (10th) Correction Line North, to the south-east corner of Section seven (7), Township forty (40) North, Range four (4) East; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty-four (24), Township forty (40) North, Range three (3) East; thence westerly to the south-west corner of Section twenty (20), said township; thence northerly to the south-east corner of Section eighteen (18), said township; thence westerly to the south-west corner of the south-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of the south-east quarter of Section twelve (12), Township forty (40) North, Range two (2) East; thence westerly to the south-west corner of the north-west quarter of said section; thence northerly to the south-east corner of Section two (2), said township; thence westerly to the south-west corner of said section; thence northerly along the section lines, allowing for the proper offset on the Tenth (10th) Correction Line North, to the north-east corner of Section thirty-four (34), Township forty-one (41) North, Range two (2) East; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence northerly to the north-east corner of Section seven (7), said township; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Section thirty-three (33), Township forty-two (42) North, Range one (1) East; thence northerly to the north-east corner of Section twenty (20), said township; thence westerly to the south-west corner of Section eighteen (18), Township forty-two (42) North, Range one (1) West; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Township forty-three (43) North, Range three (3) West; thence northerly to the north-west corner of Township forty-four (44) North, Range three (3) West; thence easterly along the Eleventh (11th) Correction Line North to the north-east corner of Section five (5), Township forty-four (44) North, Range two (2) West; thence southerly to the south-west corner of Section sixteen (16), said township; thence easterly to the south-east corner of Section fourteen (14), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section twelve (12), said township; thence northerly to the north-

east coner of said section; thence easterly to the south-east corner of Section five (5), Township forty-four (44) North, Range one (1) West; thence northerly along the section lines, allowing for the proper offset on the Eleventh (11th) Correction Line North, to the north-west corner of Section twenty-one (21), Township forty-five (45) North, Range one (1) West; thence easterly to the south-west corner of Section fourteen (14), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of Section twenty-six (26), Township forty-six (46) North, Range one (1) West; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section two (2), said township; thence easterly to the north-east corner of said township; thence northerly along the New Mexico Principal Meridian to the north-west corner of Section seven (7), Township forty-seven (47) North, Range one (1) East; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-east corner of Section twelve (12), Township forty-six (46) North, Range one (1) East; thence westerly to the south-west corner of said section; thence southerly to the north-east corner of Section twenty-six (26), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of Section eleven (11), Township forty-five (45) North, Range one (1) East; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-west corner of Section six (6), Township forty-five (45) North, Range two (2) East; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence southerly to the south-west corner of Section twenty-nine (29), said township; thence easterly to the south-west corner of Section twenty-five (25), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section nineteen (19), Township forty-five (45) North, Range three (3) East; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section seventeen (17), said township; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the south-east corner of Section thirty-five (35), Township forty-six (46) North, Range two (2) East; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section fourteen (14), said township; thence easterly to the south-east corner of Section twelve (12), said township; thence northerly to the north-east corner

of Section thirty-six (36), Township forty-seven (47) North, Range two (2) East; thence westerly to the south-west corner of Section twenty-six (26), said township; thence northerly to the north-west corner of Section fourteen (14), said township; thence easterly to the south-east corner of section nine (9), Township forty-seven (47) North, Range three (3) East; thence northerly to the north-west corner of Section thirty-four (34), Township forty-eight (48) North, Range three (3) East; thence easterly to the north-east corner of Section thirty-four (34), Township forty-eight (48) North, Range five (5) East; thence southerly to the south-east corner of said section; thence easterly to the south-east corner of said township; thence northerly to the north-east corner of Section twenty-five (25), said township; thence westerly to the south-west corner of Section twenty-three (23), said township; thence northerly to the south-east corner of Section ten (10), said township; thence westerly to the south-west corner of the south-east quarter of said section; thence northerly along the quarter-section lines, allowing for the proper offset on the Twelfth (12th) Correction Line North, to the south-east corner of the south-west quarter of Section fifteen (15), Township forty-nine (49) North, Range five (5) East; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the north-west corner of the north-east quarter of Section seventeen (17), said township; thence southerly to the south-west corner of the north-east quarter of Section twenty (20), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly along the section lines, allowing for the proper offset on the Twelfth (12th) Correction Line North, to the south-east corner of Section eight (8), Township forty-eight (48) North, Range five (5) East; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section eighteen (18), said township; thence westerly to the south-west corner of said section; thence northerly along the range line, allowing for the proper offset on the Twelfth (12th) Correction Line North, to the south-east corner of Section one (1), Township forty-nine (49) North, Range four (4) East; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the north-west corner of Section two (2), said township; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-west corner of Township fifty (50) North, Range four (4) East; the place of beginning;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper

United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Cochetopah Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 13th day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of

land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section fifteen (15), Township forty-two (42) North, Range thirteen (13) West, New Mexico Principal Meridian, Colorado; thence easterly to the north-east corner of Section eighteen (18), Township forty-two (42) North, Range twelve (12) West; thence southerly to the south-west corner of Section twenty (20), said township; thence easterly to the south-east corner of Section nineteen (19), Township forty-two (42) North, Range eleven (11) West; thence northerly to the north-west corner of Section five (5), said township; thence easterly to the north-east corner of Section four (4), said township; thence southerly to the south-west corner of Section twenty-two (22), said township; thence easterly to the south-east corner of Section twenty-four (24), said township; thence northerly to the north-east corner of said section; thence easterly to the north-east corner of Section twenty-one (21), Township forty-two (42) North, Range ten (10) West; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-east corner of said township; thence easterly to the north-east corner of Section three (3), Township forty-one (41) North, Range nine (9) West; thence southerly to the south-west corner of Section twenty-three (23), said township; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly, allowing for the proper offset on the Tenth (10th) Correction Line North, to the south-east corner of Section twenty-five (25), Township forty (40) North, Range nine (9) West; thence westerly to the north-west corner of Section thirty-five (35), said township; thence southerly to the south-east corner of Section twenty-two (22), Township thirty-nine (39) North, Range nine (9) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section four (4), Township thirty-seven (37) North, Range nine (9) West; thence westerly to the north-west corner of Section seven (7), said township; thence southerly, allowing for the proper offset on the Ninth (9th) Correction Line North, to the south-east corner of Section twelve (12), Township thirty-six (36) North, Range ten (10) West; thence westerly to the north-west corner of Section fifteen (15), said township; thence southerly to the south-east corner of Section twenty-one (21), said township; thence westerly to the north-east corner of Section twenty-five (25), Township thirty-six (36) North, Range eleven (11) West; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section twenty-six (26), said township; thence northerly to the north-west corner of said section; thence

westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-west corner of said section; thence westerly to the north-east corner of Section twenty-four (24), Township thirty-six (36) North, Range twelve (12) West; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the south-east corner of Section nine (9), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly, allowing for the proper offset on the Ninth (9th) Correction Line North, to the north-east corner of Section twelve (12), Township thirty-seven (37) North, Range thirteen (13) West; thence westerly to the south-west corner of the south-east quarter of Section five (5), said township; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of Section thirty-five (35), Township thirty-eight (38) North, Range fourteen (14) West; thence northerly to the north-east corner of Section twenty-two (22), said township; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section four (4), said township; thence westerly to the south-west corner of Township thirty-nine (39) North, Range fourteen (14) West; thence northerly to the north-west corner of Section thirty-one (31), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-nine (29), said township; thence easterly to the south-east corner of the south-west quarter of Section twenty-one (21), said township; thence northerly to the north-east corner of the south-west quarter of said section; thence easterly to the south-east corner of the north-east quarter of Section twenty-two (22), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of the south-west quarter of Section fourteen (14), said township; thence northerly to the north-east corner of the south-west quarter of said section; thence westerly to the north-west corner of the south-west quarter of Section fifteen (15), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of the south-east quarter of Section nine (9), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence westerly to the north-east corner of the north-west quarter of the north-west quarter of Section twelve (12), Township thirty-nine (39) North, Range fifteen (15) West; thence southerly to the north-east corner of the south-west quarter of the south-west quarter of Section thirteen (13), said township; thence westerly to the north-

west corner of the south-west quarter of the south-west quarter of said section; thence southerly to the south-east corner of the north-east quarter of Section twenty-three (23), said township; thence westerly to the north-west corner of the south-west quarter of said section; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the south-west corner of said township; thence northerly to the north-west corner of Section seven (7), said township; thence easterly to the south-east corner of Section three (3), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section thirty-two (32), Township forty (40) North, Range fourteen (14) West; thence northerly to the north-east corner of said section; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-west corner of Township forty (40) North, Range thirteen (13) West; thence easterly to the south-east corner of Section thirty-three (33), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section twenty-seven (27), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section twenty-four (24), said township; thence northerly to the south-east corner of Section one (1), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence easterly to the south-east corner of Section thirty-two (32), Township forty-one (41) North, Range twelve (12) West; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the south-west corner of Section thirty-four (34), Township forty-two (42) North, Range thirteen (13) West; thence northerly to the north-west corner of Section fifteen (15), said township, the place of beginning;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Montezuma Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 13th day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section eighteen (18), Township fifteen (15) South, Range one hundred and two (102) West, Sixth (6th) Principal Meridian, Colorado; thence easterly to the north-east corner of Section sixteen (16), said township; thence southerly to the south-east corner of the north-east quarter of said section; thence easterly to the south-east corner of the north-east quarter of Section thirteen (13), said township; thence northerly to the north-west corner of Section seven (7), Township fifteen (15) South, Range one hundred and one (101) West; thence easterly to

the south-west corner of Section four (4), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of Section six (6), Township fifteen (15) South, Range one hundred (100) West; thence southerly to the south-west corner of Section eight (8), said township; thence easterly to the north-east corner of Section seventeen (17), said township; thence southerly to the south-west corner of Section sixteen (16), said township; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-west corner of Section twenty-three (23), said township; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-west corner of Section twenty-five (25), said township; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-west corner of Township fifteen (15) South, Range ninety-nine (99) West; thence easterly along the Third (3rd) Correction Line South to the north-east corner of fractional Township fifty-one (51) North, Range fifteen (15) West, New Mexico Principal Meridian; thence southerly to the north-west corner of Section seven (7), Township fifty (50) North, Range fourteen (14) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of the north-east quarter of said section; thence easterly to the north-east corner of the south-east quarter of Section seven (7), Township fifty (50) North, Range thirteen (13) West; thence southerly to the south-west corner of Section five (5), Township forty-nine (49) North, Range thirteen (13) West; thence easterly to the north-east corner of Section eleven (11), Township forty-nine (49) North, Range twelve (12) West; thence southerly to the south-west corner of Section thirty-six (36), said township; thence easterly to the north-east corner of Section two (2), Township forty-eight (48) North, Range twelve (12) West; thence southerly to the south-west corner of Section thirteen (13), said township; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of said township; thence easterly to the north-east corner of Section five (5), Township forty-seven (47) North, Range eleven (11) West; thence southerly to the south-west corner of Section sixteen (16), said township; thence easterly to the north-west corner of Section twenty-four (24), Township forty-seven (47) North, Range ten (10) West; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of Section twenty-three (23), Township forty-six (46) North, Range ten (10) West; thence westerly to the south-west corner of Section twenty-eight (28), said township; thence northerly to the north-west corner of said section; thence westerly to the south-east corner of

Section twenty-three (23), Township forty-six (46) North, Range eleven (11) West; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of Section seven (7), Township forty-six (46) North, Range twelve (12) West; thence northerly to the south-east corner of Township forty-seven (47) North, Range thirteen (13) West; thence westerly to the south-west corner of Section thirty-six (36), said township; thence northerly to the north-west corner of said section; thence westerly to the south-east corner of Section twenty-eight (28), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of Section five (5), said township; thence westerly to the south-east corner of Township forty-eight (48) North, Range fifteen (15) West; thence northerly to the north-east corner of Section twenty-five (25), said township; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section eleven (11), Township forty-eight (48) North, Range sixteen (16) West; thence northerly to the north-east corner of Section three (3), said township; thence westerly to the south-west corner of Section thirty-three (33), Township forty-nine (49) North, Range sixteen (16) West; thence northerly to the south-east corner of Section eight (8), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Section thirty-five (35), Township fifty (50) North, Range seventeen (17) West; thence northerly to the north-east corner of Section twenty-seven (27), said township; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-east corner of Section twenty-one (21), said township; thence westerly to the south-west corner of Section sixteen (16), said township; thence northerly to the north-east corner of Section seventeen (17), said township; thence westerly to the south-west corner of Section eight (8), said township; thence northerly to the north-east corner of Section seven (7), said township; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Section thirty-five (35), fractional Township fifty-one (51)

North, Range eighteen (18) West; thence northerly to the north-east corner of Section twenty-two (22), said township; thence westerly to the south-west corner of the south-east quarter of Section sixteen (16), said township; thence northerly along the quarter-section lines to the point of intersection with the Third (3rd) Correction Line South, Sixth (6th) Principal Meridian; thence easterly along the said Correction Line to the south-west corner of Township fifteen (15) South, Range one hundred and two (102) West; thence northerly to the north-west corner of Section eighteen (18), said township, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Uncompahgre Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 14th day of June, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section 13 of the Act of Congress of March 3, 1891, entitled, "An act to amend title sixty, chapter three,

of the Revised Statutes of the United States, relating to copyrights", that said act "shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may, at its pleasure, become a party to such agreement";

And whereas, it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require";

And whereas, satisfactory official assurances have been given that in Norway the law permits to citizens of the United States the benefit of copyright on substantially the same basis as to the citizens of that country;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, is now fulfilled in respect to the subjects of Norway.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this first day of July, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States of America, the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

HERBERT H. D. PEIRCE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

John Hay, Secretary of State of the United States, died on July 1st. His death, a crushing sorrow to his friends, is to the people of this country a national bereavement; and it is in addition a serious loss to all mankind, for to him it was given to stand as a leader in the effort to better world-conditions by striving to advance the cause of international peace and justice. He entered the public service as the trusted and intimate companion of Abraham Lincoln, and for well-nigh forty-five years he served his country with loyal devotion

and high ability in many positions of honor and trust; and finally he crowned his life work by serving as Secretary of State with such farsighted reading of the future and such loyalty to lofty ideals as to confer lasting benefits not only upon our own country but upon all the nations of the earth.

As a suitable expression of national mourning, I direct that the Diplomatic representatives of the United States in all foreign countries display the flags over their embassies and legations at half-mast for ten days; that for a like period the flag of the United States be displayed at half-mast at all forts and military posts and at all naval stations and on all vessels of the United States.

I further order that on the day of the funeral the Executive Departments in the city of Washington be closed and that on all public buildings throughout the United States the national flag be displayed at half-mast.

DONE at the City of Washington, this third day of July,
[SEAL.] A. D., 1905, and of the Independence of the United States
of America the one hundred and twenty-ninth.

THEODORE ROOSEVELT.

By the President:

HERBERT H. D. PEIRCE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it was provided by the act of Congress, approved May 27, A. D. 1902 (32 Stat., 263), among other things, that on October 1, 1903, the unallotted lands in the Uintah Indian Reservation, in the State of Utah, "shall be restored to the public domain: *Provided*, That persons entering any of said lands under the homestead laws shall pay therefor at the rate of one dollar and twenty-five cents per acre";

And whereas, the time for the opening of said unallotted lands was extended to October 1, 1904, by the act of Congress, approved March 3, 1903 (32 Stat., 998), and was extended to March 10, 1905, by the act of Congress, approved April 21, 1904 (33 Stat., 207) and was again extended to not later than September 1, 1905, by the act of Congress, approved March 3, 1905 (33 Stat., 1069), which last named act provided, among other things:

"That the said unallotted lands, excepting such tracts as may have been set aside as national forest reserve, and such mineral lands as were disposed of by the Act of Congress of May twenty-seventh,

nineteen hundred and two, shall be disposed of under the general provisions of the homestead and townsite laws of the United States, and shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the manner in which these lands may be settled upon, occupied, and entered by persons entitled to make entry thereof; and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in said proclamation, until after the expiration of sixty days from the time when the same are thereby opened to settlement and entry: *Provided*, That the rights of honorably discharged Union soldiers and sailors of the late civil and the Spanish war or Philippine insurrection, as defined and described in sections twenty-three hundred and four and twenty-three hundred and five of the Revised Statutes, as amended by the Act of March first, nineteen hundred and one, shall not be abridged."

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the power in me vested by said acts of Congress, do hereby declare and make known that all the unallotted lands in said reservation, excepting such as have at that time been reserved for military, forestry, and other purposes, and such mineral lands as may have been disposed of under existing laws, will, on and after the 28th day of August, 1905, in the manner hereinafter prescribed, and not otherwise, be opened to entry, settlement, and disposition under the general provisions of the homestead and townsite laws of the United States; and it is further directed and prescribed that:

Commencing at 9 o'clock a. m., Tuesday, August 1, 1905, and ending at 6 o'clock p. m., Saturday, August 12, 1905, a registration will be had at Vernal, Price, and Provo, State of Utah, and at Grand Junction, State of Colorado, for the purpose of ascertaining what persons desire to enter, settle upon, and acquire title to any of said lands under the homestead law, and of ascertaining their qualifications so to do. To obtain registration each applicant will be required to show himself duly qualified, by written application to be made only on a blank form provided by the Commissioner of the General Land Office, to make homestead entry of these lands under existing laws, and to give the registering officer such appropriate matters of description and identity as will protect the applicant and the Government against any attempted impersonation. Registration can not be effected through the use of the mails or the employment of an agent, excepting that honorably discharged soldiers and sailors entitled to the benefits of section 2304 of the Revised Statutes of the United States, as amended by the act of Congress, approved March 1, 1901 (31 Stat., 847), may present their applications for registration and due proofs of their qualifications through an agent of their own selection, having a duly executed power of attorney on a blank form provided by the Commissioner of the

General Land Office, but no person will be permitted to act as agent for more than one such soldier or sailor. No person will be permitted to register more than once or in other than his true name.

Each applicant who shows himself duly qualified will be registered and given a nontransferable certificate to that effect, which will entitle him to go upon and examine the lands to be opened hereunder; but the only purpose for which he can go upon and examine said lands is that of enabling him later on, as herein provided, to understandingly select the lands for which he may make entry. No one will be permitted to make settlement upon any of said lands in advance of the opening herein provided for, and during the first sixty days following said opening no one but registered applicants will be permitted to make homestead settlement upon any of said lands, and then only in pursuance of a homestead entry duly allowed by the local land officers, or of a soldier's declaratory statement duly accepted by such officers.

The order in which, during the first sixty days following the opening, the registered applicants will be permitted to make homestead entry of the lands opened hereunder, will be determined by a drawing for the district publicly held at Provo, Utah, commencing at 9 o'clock a. m., Thursday, August 17, 1905, and continuing for such period as may be necessary to complete the same. The drawing will be had under the supervision and immediate observance of a committee of three persons whose integrity is such as to make their control of the drawing a guaranty of its fairness. The members of this committee will be appointed by the Secretary of the Interior, who will prescribe suitable compensation for their services. Preparatory to this drawing the registration officers will, at the time of registering each applicant who shows himself duly qualified, make out a card, which must be signed by the applicant, and giving such a description of the applicant as will enable the local land officers to thereafter identify him. This card will be subsequently sealed in a separate envelope which will bear no other distinguishing label or mark than such as may be necessary to show that it is to go into the drawing. These envelopes will be carefully preserved and remain sealed until opened in the course of the drawing herein provided. When the registration is completed all of these sealed envelopes will be brought together at the place of drawing and turned over to the committee in charge of the drawing, who, in such manner as in their judgment will be attended with entire fairness and equality of opportunity, shall proceed to draw out and open the separate envelopes and to give to each inclosed card a number in the order in which the envelope containing the same is drawn. The result of the drawing will be certified by the committee to the officers of the district and will determine the order in which the applicants may make homestead entry of said lands and settlement thereon.

Notice of the drawings, stating the name of each applicant and number assigned to him by the drawing, will be posted each day at the place of drawing, and each applicant will be notified of his number and of the day upon which he must make his entry by a postal card mailed to him at the address given by him at the time of registration. The result of each day's drawing will also be given to the press to be published as a matter of news. Applications for homestead entry of said lands during the first sixty days following the opening can be made only by registered applicants and in the order established by the drawing.

Commencing on Monday, August 28, 1905, at 9 o'clock a. m., the applications of those drawing numbers 1 to 50, inclusive, must be presented at the land office in the town of Vernal, Utah, in the land district in which said lands are situated, and will be considered in their numerical order during the first day, and the applications of those drawing numbers 51 to 100, inclusive, must be presented and will be considered in their numerical order during the second day, and so on at that rate until all of said lands subject to entry under the homestead law, and desired thereunder, have been entered. If any applicant fails to appear and present his application for entry when the number assigned to him by the drawing is reached, his right to enter will be passed until after the other applications assigned for that day have been disposed of, when he will be given another opportunity to make entry, failing in which he will be deemed to have abandoned his right to make entry under such drawing.

To obtain the allowance of a homestead entry, each applicant must personally present the certificate of registration theretofore issued to him, together with a regular homestead application and the necessary accompanying proofs, together with the regular land office fees, but an honorably discharged soldier or sailor may file his declaratory statement through his agent, who can represent but one soldier or sailor as in the matter of registration.

Persons who make homestead entry for any of these lands will be required to pay therefor at the rate of one dollar and twenty-five cents per acre when they make final proof, but no payment, other than the usual fees and commissions, will be required at the time the entry is made.

Persons who apply to make entry of these lands prior to October 27, 1905, will not be required to file the usual nonmineral affidavit with their applications to enter, but such affidavit must be filed before final proof is accepted under their entries; but all persons who make entry after that date will be required to file that affidavit with their applications to enter.

The production of the certificate of registration will be dispensed

with only upon satisfactory proof of its loss or destruction. If at the time of considering his regular application for entry it appears that an applicant is disqualified from making homestead entry of these lands, his application will be rejected, notwithstanding his prior registration. If any applicant shall register more than once hereunder, or in any other than his true name, or shall transfer his registration certificate, he will thereby lose all the benefits of the registration and drawing herein provided for, and will be precluded from entering or settling upon any of said lands during the first sixty days following said opening.

Any person or persons desiring to found, or to suggest establishing, a townsite upon any of the said lands, at any point, may, at any time before the opening herein provided for, file in the land office a written application to that effect, describing by legal subdivisions the lands intended to be affected, and stating fully and under oath the necessity or propriety of founding or establishing a town at that place. The local officers will forthwith transmit said petition to the Commissioner of the General Land Office with their recommendation in the premises. Such Commissioner, if he believes the public interests will be subserved thereby, will, if the Secretary of the Interior approve thereof, issue an order withdrawing the lands described in such petition, or any portion thereof, from homestead entry and settlement and directing that the same be held for the time being for disposal under the townsite laws of the United States in such manner as the Secretary of the Interior may from time to time direct; and, if at any time after such withdrawal has been made it is determined that the lands so withdrawn are not needed for townsite purposes they may be released from such withdrawal and then disposed of under the general provisions of the homestead laws in the manner prescribed herein.

All persons are especially admonished that under the said act of Congress approved March 3, 1905, it is provided that no person shall be permitted to settle upon, occupy, or enter any of said lands, except in the manner prescribed in this proclamation, until after the expiration of sixty days from the time when the same are opened to settlement and entry. After the expiration of the said period of sixty days, but not before, as hereinbefore prescribed, any of said lands remaining undisposed of may be settled upon, occupied, and entered under the general provisions of the homestead and townsite laws of the United States in like manner as if the manner of effecting such settlement, occupancy, and entry had not been prescribed herein in obedience to law.

The Secretary of the Interior shall prescribe all needful rules and regulations necessary to carry into full effect the opening herein provided for.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 14th day of July, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of California, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of California, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section thirty-one (31), Township thirty (30) North, Range ten (10) East, Mount Diablo Base and Meridian, California; thence easterly to the north-east corner of Section thirty-five (35), said township; thence southerly to the north-west corner of Section twelve (12), Township twenty-nine (29) North, Range ten (10) East; thence easterly to the north-east corner of said section; thence southerly to the north-east corner of Section thirty-six (36), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west cor-

ner of said section; thence easterly to the north-east corner of Section five (5), Township twenty-eight (28) North, Range twelve (12) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section eleven (11), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirteen (13), said township; thence southerly to the north-west corner of Section nineteen (19), Township twenty-eight (28) North, Range thirteen (13) East; thence easterly to the north-east corner of Section twenty (20), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-five (35), said township; thence southerly to the north-west corner of Section twelve (12), Township twenty-seven (27) North, Range thirteen (13) East; thence easterly to the north-east corner of said section; thence southerly to the north-west corner of Section eighteen (18), Township twenty-seven (27) North, Range fourteen (14) East; thence easterly to the north-east corner of said section; thence southerly to the north-west corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-east corner of said section; thence easterly, allowing for the proper offset on the range line, to the north-east corner of Section five (5), Township twenty-six (26) North, Range fifteen (15) East; thence southerly to the north-west corner of Section nine (9), said township; thence easterly to the north-east corner of Section ten (10), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section fourteen (14), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the north-west corner of Section thirty-one (31), Township twenty-six (26) North, Range sixteen (16) East; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly along the Fifth (5th) Standard Parallel North to the north-east corner of Section four (4), Township twenty-five (25) North, Range sixteen (16) East; thence southerly to the north-east corner of Section sixteen (16), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the north-west corner

of Section thirty-five (35), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section six (6), Township twenty-four (24) North, Range seventeen (17) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section eight (8), said township; thence southerly to the south-east corner of Section thirty-two (32), said township; thence westerly to the north-east corner of Section six (6), Township twenty-three (23) North, Range seventeen (17) East; thence southerly to the south-east corner of said section; thence westerly to the north-east corner of Section ten (10), Township twenty-three (23) North, Range sixteen (16) East; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section seven (7), Township twenty-three (23) North, Range fifteen (15) East; thence northerly to the north-east corner of Section thirty-six (36), Township twenty-four (24) North, Range fourteen (14) East; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of said township; thence northerly to the south-east corner of Section twenty-five (25), Township twenty-four (24) North, Range thirteen (13) East; thence westerly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-east corner of Section nine (9), Township twenty-three (23) North, Range thirteen (13) East; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section seventeen (17), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section nineteen (19), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty-five (25), Township twenty-three (23) North, Range twelve (12) East; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section eleven (11), Township twenty-two (22) North, Range twelve (12) East; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section three (3), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty-three (33), Township twenty-three (23) North, Range twelve (12) East; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to

the south-east corner of Section twelve (12), Township twenty-three (23) North, Range eleven (11) East; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section two (2), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section twenty-seven (27), Township twenty-four (24) North, Range eleven (11) East; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section twenty-one (21), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section seventeen (17), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of Section five (5), said township; thence westerly to the north-west corner of said township; thence northerly to the south-east corner of Section twenty-five (25), Township twenty-five (25) North, Range ten (10) East; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section twenty-three (23), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section eight (8), said township; thence northerly to the north-west corner of Section five (5), said township; thence easterly along the Fifth (5th) Standard Parallel North to the south-west corner of Section thirty-five (35), Township twenty-six (26) North, Range ten (10) East; thence northerly to the south-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of Section three (3), said township; thence westerly to the north-west corner of said township; thence northerly to the south-east corner of Section twenty-five (25), Township twenty-seven (27) North, Range nine (9) East; thence westerly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said township; thence northerly to the north-west corner of said township; thence easterly to the north-east corner of said township; thence southerly to the north-west corner of Section eighteen (18), Township twenty-seven (27) North, Range ten (10) East; thence easterly to the north-west corner of Section sixteen (16), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section ten (10), said township; thence northerly to the south-east corner of Section twenty-seven (27), Township

twenty-eight (28) North, Range ten (10) East; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section four (4), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section seventeen (17), Township twenty-nine (29) North, Range ten (10) East; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-west corner of Section thirty-one (31), Township thirty (30) North, Range ten (10) East, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as The Diamond Mountain Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 14th day of July, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, The Uintah Forest Reserve, in the State of Utah, was established by proclamation dated February twenty-second, eighteen hundred and ninety-seven, under and by virtue of section twenty-four

of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," which provides, "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory, having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, it is provided by the Act of Congress, approved March third, nineteen hundred and five, entitled, "An Act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes," that "before the opening of the Uintah Indian Reservation the President is hereby authorized to set apart and reserve as an addition to the Uintah Forest Reserve, subject to the laws, rules and regulations governing forest reserves, and subject to the mineral rights granted by the Act of Congress of May twenty-seventh, nineteen hundred and two, such portion of the lands within the Uintah Indian Reservation as he considers necessary";

And whereas, it is considered necessary for the public good that certain lands in the Uintah Indian Reservation be set apart and reserved as an addition to the Uintah Forest Reserve;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid act of Congress, approved March third, nineteen hundred and five, do hereby make known and proclaim that certain lands in the said Uintah Indian Reservation are hereby added to and made a part of the Uintah Forest Reserve, and that the boundary lines of the said forest reserve are, accordingly, so changed and extended as to read as follows:

Beginning at the north-west corner of Township one (1) South, Range seven (7) East, Salt Lake Meridian, Utah; thence easterly along the Base Line to the south-west corner of Township one (1) North, Range nine (9) East; thence northerly to the north-west corner of said township; thence easterly to the south-west corner of Township two (2) North, Range fourteen (14) East; thence northerly to the north-west corner of said township; thence easterly to the middle of the channel of the Green River; thence in a general south-easterly direction along the middle of the channel of said river to the range line between Ranges twenty-two (22) and twenty-three (23) East; thence southerly along the range line, allowing for the proper offset on the Base Line, to the south-east corner of Township two (2) South, Range twenty-two (22) East; thence westerly to the north-west corner of Township

three (3) South, Range nineteen (19) East; thence southerly to the eastern boundary of the Uintah Indian Reservation; thence north-westerly along said Indian reservation boundary to the section line between Sections twenty-one (21) and twenty-eight (28), Township two (2) North, Range one (1) East, Uintah Meridian; thence westerly to the south-west corner of Section nineteen (19), Township two (2) North, Range one (1) West; thence northerly to the south-east corner of Section thirteen (13), Township two (2) North, Range two (2) West; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of Section twelve (12), said township; thence westerly to the south-west corner of Section four (4), said township; thence northerly to the north-west corner of said section; thence westerly to the north-east corner of Section four (4), Township two (2) North, Range three (3) West; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the north-east corner of Township one (1) North, Range six (6) West; thence southerly to the south-east corner of Section thirteen (13), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section eleven (11), said township; thence northerly to the north-west corner of said section; thence westerly to the north-east corner of Section eight (8), said township; thence southerly to the south-east corner of Section seventeen (17), said township; thence westerly to the north-east corner of Section twenty-one (21), Township one (1) North, Range nine (9) West; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section nineteen (19), said township; thence southerly along the range line, allowing for the proper offset on the Base Line, to the north-west corner of Section eighteen (18), Township one (1) South, Range nine (9) West; thence easterly to the north-east corner of Section sixteen (16), Township one (1) South, Range eight (8) West; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the north-east corner of Section four (4), Township two (2) South, Range ten (10) West; thence southerly to the south-east corner of Section sixteen (16), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence southerly to the south-east corner of Township two (2) South, Range eleven (11) West; thence westerly to the south-west corner of Section thirty-three (33), said township; thence northerly to the south-east corner of Section twenty (20), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section seven (7), said township; thence westerly to the south-west corner of said section;

thence northerly to the north-west corner of said township; thence westerly to the north-east corner of fractional Section four (4), Township two (2) South, Range twelve (12) West; thence southerly to the south-east corner of Section thirty-three (33), said township; thence easterly to the north-east corner of Section three (3), Township three (3) South, Range twelve (12) West; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section eleven (11), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirteen (13), said township; thence southerly to the south-east corner of Township four (4) South, Range twelve (12) West; thence easterly to the south-west corner of Section thirty-three (33), Township four (4) South, Range eleven (11) West; thence northerly to the north-west corner of said section; thence easterly to the south-west corner of Section twenty-five (25), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of Section thirty (30), Township four (4) South, Range ten (10) West; thence southerly to the south-east corner of Section thirty-one (31), said township; thence easterly to the south-west corner of Township four (4) South, Range nine (9) West; thence northerly to the north-west corner of Section thirty (30), said township; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-east corner of said township; thence easterly to the north-east corner of Section five (5), Township five (5) South, Range eight (8) West; thence southerly to the south-east corner of Section seventeen (17), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence southerly to the south-east corner of Section twenty-four (24), Township five (5) South, Range nine (9) West; thence westerly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence southerly to the north-west corner of Section twenty-nine (29), Township six (6) South, Range nine (9) West; thence easterly to the south-west corner of Section twenty-one (21), Township six (6) South, Range eight (8) West; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the eastern boundary of the Uintah Indian Reservation; thence in a general south-westerly and north-westerly direction along said Indian reservation boundary to the range line between Ranges six (6) and seven (7) East, Salt Lake Meridian; thence northerly to the north-west corner of Township one (1) South, Range seven (7) East, the place of beginning; such of the above-named corners as have not been established by the official surveys be-

ing intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 14th day of July, in
[SEAL.] the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas it was provided by the Act of Congress, approved May 27, A. D., 1902 (32 Stat., 263), among other things, that on October first, 1903, the unallotted lands in the Uintah Indian Reservation, in the State of Utah, "shall be restored to the public domain: *Provided*, That persons entering any of said lands under the homestead laws shall pay therefor at the rate of one dollar and twenty-five cents per acre";

And, whereas, the time for the opening of said unallotted lands was extended to October 1, 1904, by the Act of Congress approved March 3, 1903 (32 Stat., 998), and was extended to March 10, 1905, by the Act of Congress approved April 21, 1904 (33 Stat., 207), and was again extended to not later than September 1, 1905, by the Act of Congress, approved March 3, 1905 (33 Stat., 1069), which last named act provided, among other things:

That the said unallotted lands, excepting such tracts as may have

been set aside as national forest reserve, and such mineral lands as were disposed of by the Act of Congress of May twenty-seventh, nineteen hundred and two, shall be disposed of under the general provisions of the homestead and townsite laws of the United States, and shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the manner in which these lands may be settled upon, occupied, and entered by persons entitled to make entry thereof; and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in said proclamation, until after the expiration of sixty days from the time when the same are thereby opened to settlement and entry: Provided, That the rights of honorably discharged Union soldiers and sailors of the late civil and Spanish war or Philippine insurrection, as defined and described in sections twenty-three hundred and four and twenty-three hundred and five of the Revised Statutes, as amended by the Act of March first, nineteen hundred and one, shall not be abridged.

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the power in me vested by said Acts of Congress, do hereby declare and make known that all the unallotted lands in said reservation, excepting such as have at that time been reserved for military, forestry and other purposes, and such mineral lands as may have been disposed of under existing laws, will on and after the 28th day of August, 1905, in the manner hereinafter prescribed, and not otherwise, be opened to entry, settlement and disposition under the general provisions of the homestead and townsite laws of the United States; and it is further directed and prescribed that:

Commencing at 9 o'clock, a. m. Tuesday, August 1, 1905, and ending at 6 o'clock p. m. Saturday, August 12, 1905, a registration will be had at Vernal, Price and Provo, State of Utah, and at Grand Junction, State of Colorado, for the purpose of ascertaining what persons desire to enter, settle upon, and acquire title to any of said lands under the homestead law, and of ascertaining their qualifications so to do. To obtain registration each applicant will be required to show himself duly qualified, by written application to be made only on a blank form provided by the Commissioner of the General Land Office, to make homestead entry of these lands under existing laws, and to give the registering officer such appropriate matters of description and identity as will protect the applicant and the Government against any attempted impersonation. Registration cannot be effected through the use of the mails or the employment of an agent, excepting that honorably discharged soldiers and sailors entitled to the benefits of section 2304 of the Revised Statutes of the United States, as amended by the act of Congress, approved March 1, 1901 (31 Stat., 847), may present their applications for registration and due proofs of their qualifications

through an agent of their own selection, having a duly executed power of attorney on a blank form provided by the Commissioner of the General Land Office, but no person will be permitted to act as agent for more than one such soldier or sailor. No person will be permitted to register more than once or in any other than his true name.

Each applicant who shows himself duly qualified will be registered and given a nontransferable certificate to that effect, which will entitle him to go upon and examine the lands to be opened hereunder; but the only purpose for which he can go upon and examine said lands is that of enabling him later on, as herein provided, to understandingly select the lands for which he may make entry. No one will be permitted to make settlement upon any of said lands in advance of the opening herein provided for, and during the first sixty days following said opening no one but registered applicants will be permitted to make homestead settlement upon any of said lands and then only in pursuance of a homestead entry duly allowed by the local land officers, or of a soldier's declaratory statement duly accepted by such officers.

The order in which, during the first sixty days following the opening, the registered applicants will be permitted to make homestead entry of the lands opened hereunder, will be determined by a drawing for the district publicly held at Provo, Utah, commencing at 9 o'clock a. m., Thursday, August 17, 1905, and continuing for such period as may be necessary to complete the same. The drawing will be had under the supervision and immediate observance of a committee of three persons whose integrity is such as to make their control of the drawing a guaranty of its fairness. The members of this committee will be appointed by the Secretary of the Interior, who will prescribe suitable compensation for their services. Preparatory to this drawing the registration officers will, at the time of registering each applicant who shows himself duly qualified, make out a card, which must be signed by the applicant, and giving such a description of the applicant as will enable the local land officers to thereafter identify him. This card will be subsequently sealed in a separate envelope which will bear no other distinguishing label or mark than such as may be necessary to show that it is to go into the drawing. These envelopes will be carefully preserved and remain sealed until opened in the course of the drawing herein provided. When the registration is completed, all of these sealed envelopes will be brought together at the place of drawing and turned over to the committee in charge of the drawing, who, in such manner as in their judgment will be attended with entire fairness and equality of opportunity, shall proceed to draw out and open the separate envelopes and to give to each inclosed card a number in the order in which the envelope containing the same is drawn. The result of the drawing will be certified by the committee to the officers

of the district and will determine the order in which the applicants may make homestead entry of said lands and settlement thereon.

Notice of the drawings, stating the name of each applicant and number assigned to him by the drawing, will be posted each day at the place of drawing, and each applicant will be notified of his number, and of the day upon which he must make his entry, by a postal card mailed to him at the address given by him at the time of registration. The result of each day's drawing will also be given to the press to be published as a matter of news. Applications for homestead entry of said lands during the first sixty days following the opening can be made only by registered applicants and in the order established by the drawing.

Commencing on Monday, August 28, 1905, at 9 o'clock a. m., the applications of those drawing numbers 1 to 50, inclusive, must be presented at the land office in the town of Vernal, Utah, in the land district in which said lands are situated, and will be considered in their numerical order during the first day, and the applications of those drawing numbers 51 to 100, inclusive, must be presented and will be considered in their numerical order during the second day, and so on at that rate until all of said lands subject to entry under the homestead law, and desired thereunder, have been entered. If any applicant fails to appear and present his application for entry when the number assigned to him by the drawing is reached, his right to enter will be passed until after the other applications assigned for that day have been disposed of, when he will be given another opportunity to make entry, failing in which he will be deemed to have abandoned his right to make entry under such drawing.

To obtain the allowance of a homestead entry, each applicant must personally present the certificate of registration theretofore issued to him, together with a regular homestead application and the necessary accompanying proofs, together with the regular land office fees, but an honorably discharged soldier or sailor may file his declaratory statement through his agent, who can represent but one soldier or sailor as in the matter of registration.

Persons who make homestead entry for any of these lands will be required to pay therefor at the rate of one dollar and twenty-five cents per acre when they make final proof, but no payment, other than the usual fees and commissions, will be required at the time the entry is made.

Persons who apply to make entry of these lands prior to October 27, 1905, will not be required to file the usual nonmineral affidavit with their applications to enter, but such affidavit must be filed before final proof is accepted under their entries; but all persons who make entry

after that date will be required to file that affidavit with their applications to enter.

The production of the certificate of registration will be dispensed with only upon satisfactory proof of its loss or destruction. If at the time of considering his regular application for entry it appear that an applicant is disqualified from making homestead entry of these lands, his application will be rejected, notwithstanding his prior registration. If any applicant shall register more than once hereunder, or in any other than his true name, or shall transfer his registration certificate, he will thereby lose all the benefits of the registration and drawing herein provided for, and will be precluded from entering or settling upon any of said lands during the first sixty days following said opening.

Any person or persons desiring to found, or to suggest establishing, a townsite upon any of the said lands, at any point, may, at any time before the opening herein provided for, file in the land office a written application to that effect, describing by legal subdivisions the lands intended to be affected, and stating fully and under oath the necessity or propriety of founding or establishing a town at that place. The local officers will forthwith transmit said petition to the Commissioner of the General Land Office with their recommendation in the premises. Such Commissioner, if he believes the public interests will be subserved thereby, will, if the Secretary of the Interior approve thereof, issue an order withdrawing the lands described in such petition, or any portion thereof, from homestead entry and settlement and directing that the same be held for the time being for disposal under the townsite laws of the United States in such manner as the Secretary of the Interior may from time to time direct; and, if at any time after such withdrawal has been made it is determined that the lands so withdrawn are not needed for townsite purposes they may be released from such withdrawal and then disposed of under the general provisions of the homestead laws in the manner prescribed herein.

All persons are especially admonished that under the said act of Congress approved March 3, 1905, it is provided that no person shall be permitted to settle upon, occupy, or enter any of said lands except in the manner prescribed in this proclamation until after the expiration of sixty days from the time when the same are opened to settlement and entry. After the expiration of the said period of sixty days, but not before, as hereinbefore prescribed, any of said lands remaining undisposed of may be settled upon, occupied, and entered under the general provisions of the homestead and townsite laws of the United States in like manner as if the manner of effecting such

settlement, occupancy, and entry had not been prescribed herein in obedience to law.

The Secretary of the Interior shall prescribe all needful rules and regulations necessary to carry into full effect the opening herein provided for.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 14th day of July, in [SEAL.] the year of our Lord 1905, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", that "The President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve";

And whereas, the public lands in the Territory of New Mexico, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid acts of Congress, do hereby make known and proclaim that the Gila River

Forest Reserve, in the Territory of New Mexico, established by proclamation of March second, eighteen hundred and ninety-nine, is hereby so changed and enlarged as to include all those certain tracts, pieces or parcels of land lying and being situate in the Territory of New Mexico, and within the boundaries particularly described as follows:

Beginning at the north-east corner of Township five (5) South, Range sixteen (16) West, New Mexico Principal Meridian, New Mexico; thence southerly along the range line, allowing for the proper offset on the First (1st) Standard Parallel South, to the north-west corner of Township nine (9) South, Range fifteen (15) West; thence easterly to the north-east corner of said township; thence southerly to the south-east corner of said township; thence easterly to the south-west corner of Section thirty-two (32), Township nine (9) South, Range twelve (12) West; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section thirty-three (33), Township eight (8) South, Range twelve (12) West; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-two (22), said township; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the north-west corner of Section thirty (30), Township eight (8) South, Range eleven (11) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section thirty-one (31), said township; thence easterly to the north-east corner of Section three (3), Township nine (9) South, Range eleven (11) West; thence southerly to the south-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of said section; thence southerly to the north-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the south-west corner of Township nine (9) South, Range ten (10) West; thence northerly to the north-west corner of Section nineteen (19), said township; thence easterly to the south-west corner of Section seventeen (17), said township; thence northerly to the north-west corner of said section; thence easterly to the south-west corner of Section nine (9), said township; thence northerly to the north-west corner of said section; thence easterly to the south-west corner of Section three (3), said township; thence northerly to the north-west corner of said section; thence easterly to the south-west corner of Section thirty-five (35), Township eight (8) South, Range ten (10) West; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of Section thirty-six (36), said township; thence northerly to the north-west corner

of Section thirty (30), Township eight (8) South, Range nine (9) West; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-east corner of Section thirty-five (35), Township nine (9) South, Range nine (9) West; thence easterly to the north-east corner of Township ten (10) South, Range nine (9) West; thence southerly to the south-east corner of said township; thence easterly along the Second (2nd) Standard Parallel South to the north-east corner of Section six (6), Township eleven (11) South, Range eight (8) West; thence southerly to the north-west corner of Section twenty (20), Township twelve (12) South, Range eight (8) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section eight (8), Township thirteen (13) South, Range eight (8) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section eighteen (18), said township; thence westerly to the south-west corner of said section; thence southerly to the north-west corner of Section thirty-one (31), Township fourteen (14) South, Range eight (8) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section thirty-one (31), Township fifteen (15) South, Range eight (8) West; thence easterly along the Third (3rd) Standard Parallel South to the north-east corner of Section five (5), Township sixteen (16) South, Range eight (8) West; thence southerly to the south-east corner of Section seventeen (17), said township; thence easterly to the north-east corner of Section twenty-three (23), said township; thence southerly to the south-east corner of Section thirty-five (35), Township seventeen (17) South, Range eight (8) West; thence westerly to the south-west corner of Section thirty-three (33), Township seventeen (17) South, Range nine (9) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence northerly to the south-east corner of Section eighteen (18), said township; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section one (1), Township seventeen (17) South, Range ten (10) West; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty-five (35), Township sixteen (16) South, Range ten (10) West; thence northerly to the south-east corner of Section twenty-two (22), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section sixteen (16), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner

of Section twelve (12), Township sixteen (16) South, Range eleven (11) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section four (4), said township; thence northerly to the north-west corner of said section; thence westerly along the Third (3rd) Standard Parallel South to the north-west corner of said township; thence southerly to the north-west corner of Section eighteen (18), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section eighteen (18), Township seventeen (17) South, Range eleven (11) West; thence westerly to the south-west corner of Section fourteen (14), Township seventeen (17) South, Range twelve (12) West; thence northerly to the south-east corner of Section three (3), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section sixteen (16), said township; thence westerly to the north-east corner of Section nineteen (19), said township; thence southerly to the south-east corner of said section; thence westerly to the eastern boundary of the Fort Bayard Military Reservation; thence northerly, westerly and southerly along the boundary of said Military Reservation to the south-east corner of Lot four (4), Section twenty-two (22), Township seventeen (17) South, Range thirteen (13) West; thence westerly to the south-west corner of Section twenty-one (21), said township; thence northerly to the south-east corner of Section eight (8), said township; thence westerly to the south-west corner of Section twelve (12), Township seventeen (17) South, Range fourteen (14) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section six (6), Township seventeen (17) South, Range fifteen (15) West; thence northerly to the south-east corner of Section twenty-five (25), Township sixteen (16) South, Range sixteen (16) West; thence westerly to the south-west corner of Section twenty-eight (28), said township; thence northerly to the south-east corner of Section eight (8), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly, allowing for the proper offset on the Third (3rd) Standard Parallel South, to the north-west corner of Township fifteen (15) South, Range sixteen (16) West; thence westerly to the north-east corner of Township fifteen (15) South, Range nineteen (19) West; thence southerly to the south-east corner of said township; thence westerly to the boundary line between New Mexico and Arizona; thence northerly along said boundary line to the north-west corner of Township five (5) South, Range twenty-one (21) West; thence easterly to the north-east corner

of Township five (5) South, Range sixteen (16) West, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

This reservation shall be known hereafter as the Gila Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 21st day of July in
[SEAL.] the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, the Payson Forest Reserve, in the State of Utah, was established by proclamation dated August third, nineteen hundred and one, under and by virtue of section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", which provides, "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public

proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", that "the President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve", under which provision the boundary lines of the said forest reserve were changed and the area thereof enlarged by proclamation dated November fifth, nineteen hundred and three;

And whereas, it appears that the public good would be promoted by further adding to the said forest reserve certain lands lying and being situate in the State of Utah, which are in part covered with timber;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid Act of Congress, approved June fourth, eighteen hundred and ninety-seven, do hereby make known and proclaim that the aforesaid Payson Forest Reserve is hereby further enlarged to include the said additional lands, and that the boundaries of the reserve are, accordingly, changed to read as follows:

Beginning at the north-west corner of Section five (5), Township ten (10) South, Range two (2) East; thence easterly to the north-east corner of Section four (4), Township ten (10) South, Range three (3) East; thence southerly, allowing for the proper offset on the Second (2nd) Standard Parallel South, to the south-east corner of Section nine (9), Township twelve (12) South, Range three (3) East; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section seventeen (17), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence southerly to the north-east corner of Township thirteen (13) South, Range two (2) East; thence westerly to the north-west corner of said township; thence northerly to the south-east corner of Section twenty-four (24), Township twelve (12) South, Range one (1) East; thence westerly to the south-east corner of the south-west quarter of Section twenty-one (21), said township; thence northerly to the north-east corner of the south-east quarter of the north-west quarter of said section; thence westerly to the north-west corner of the south-east quarter of the north-west quarter of said section; thence northerly to the south-west corner of the north-east quarter of the south-west quarter of Section sixteen

(16), said township; thence easterly to the south-east corner of the north-east quarter of the south-west quarter of said section; thence northerly to the north-east corner of the south-west quarter of Section nine (9), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section two (2), Township eleven (11) South, Range one (1) East; thence easterly to the south-west corner of Township ten (10) South, Range two (2) East; thence northerly to the north-west corner of Section nineteen (19), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section five (5), said township, the place of beginning;

And further beginning at the north-east corner of Section eight (8), Township thirteen (13) South, Range two (2) East, Salt Lake Meridian, Utah; thence southerly to the south-west corner of Section sixteen (16), said township; thence easterly to the north-east corner of the north-west quarter of Section twenty-one (21), said township; thence southerly to the south-west corner of the south-east quarter of said section; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-west corner of the north-west quarter of Section twenty-seven (27), said township; thence easterly to the north-east corner of the south-west quarter of said section; thence southerly to the south-west corner of the south-east quarter of said section; thence easterly to the north-east corner of Section thirty-four (34), said township; thence southerly to the south-east corner of Section thirty-four (34), Township fourteen (14) South, Range two (2) East; thence westerly to the north-west corner of the north-east quarter of Section three (3), Township fifteen (15) South, Range two (2) East; thence southerly to the south-east corner of the south-west quarter of Section thirty-four (34), said township; thence westerly to the south-west corner of Section thirty-five (35), Township fifteen (15) South, Range one (1) East; thence northerly to the north-east corner of Section twenty-seven (27), said township; thence westerly to the south-west corner of Section twenty (20), said township; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the south-east corner of the south-west quarter of Section five (5), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the south-east corner of the south-west quarter of the south-east quarter of Section thirty-six (36), Township fourteen (14) South, Range one (1) East; thence northerly to the north-east corner of the north-west quarter

of the north-east quarter of Section thirty-six (36), Township thirteen (13) South, Range one (1) East; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section twelve (12), said township; thence easterly to the north-east corner of Section eight (8), Township thirteen (13) South, Range two (2) East, the place of beginning;

Such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 21st day of July in
[SEAL.] the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as

public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of South Dakota, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of South Dakota and particularly described as follows:

In Township sixteen (16) North, Range two (2) East, the south-west quarter of the south-west quarter of Section two (2), the south half of the south-east quarter and the west half of Section three (3), Sections four (4) and five (5), the east half of the north-west quarter, the east half of the south-west quarter, and the east half of Section six (6), the east half of the north-east quarter of Section seven (7), the north half of Section eight (8), Sections nine (9) and ten (10), the west half of the north-west quarter and the west half of the south-west quarter of Section eleven (11), the west half of the north-east quarter, the west half of the south-east quarter and the west half of Section fourteen (14), Section fifteen (15), the north half of the north-west quarter and the east half of Section sixteen (16), the north half of Section twenty-two (22) and the north-west quarter of Section twenty-three (23); in Township seventeen (17) North, Range two (2) East, Sections eighteen (18) and nineteen (19), the south-west quarter of the south-east quarter, the west half of the north-west quarter, the south-east quarter of the south-west quarter and the west half of the south-west quarter of Section twenty-seven (27), Section twenty-eight (28), the south half of Section twenty-nine (29), Sections thirty (30), thirty-one (31), thirty-two (32) and thirty-three (33), and the north-east quarter and the west half of Section thirty-four (34);

Also; in Township sixteen (16) North, Range three (3) East, Sections one (1), two (2) and three (3), the east half of the north-west quarter, the east half of the south-west quarter and the east half of Section ten (10), Sections eleven (11), twelve (12), thirteen (13) and fourteen (14), the east half of the north-west quarter and the north-east quarter of Section fifteen (15), the north half of Section twenty-three (23) and the north-west quarter of Section twenty-four (24); in Township seventeen (17) North, Range three (3) East, the west half of the south-east quarter and the south-west quarter of Sec-

tion twenty-five (25) and the west half of the north-east quarter, the west half of the south-east quarter and the west half of Section thirty-six (36); in Township sixteen (16) North, Range four (4) East, the west half of Sections six (6) seven (7) and eighteen (18); all of the Black Hills Meridian, South Dakota;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as the Short Pine Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 22d day of July,
[SEAL.] in the year of our Lord one thousand nine hundred and five and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, The Sierra Forest Reserve, in the State of California, was established by proclamation dated February fourteenth, eighteen hundred and ninety-three, under and by virtue of section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", which provides, "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President

shall, by public proclamation, declare the establishment of such reservations and the limits thereof”;

And whereas, the boundary lines of the said forest reserve were changed and enlarged by the Act of Congress, approved February seventh, nineteen hundred and five, entitled, “An Act to exclude from the Yosemite National Park, California, certain lands therein described, and to attach and include the said lands in the Sierra Forest Reserve”;

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, “An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes”, that “The President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve”; which authority to change the boundary lines of forest reserves by Executive proclamation was extended, by the aforesaid act of Congress, approved February seventh, nineteen hundred and five, to the lands thereby included in and made a part of the Sierra Forest Reserve;

And whereas, it appears that the public good would be promoted by including within the said forest reserve certain additional lands in the State of California which are in part covered with timber;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid acts of Congress, do hereby make known and proclaim that the boundary lines of the said Sierra Forest Reserve are hereby further changed so as to read as follows:

Beginning at the north-west corner of Township two (2) North, Range nineteen (19) East, Mount Diablo Base and Meridian, California; thence southerly to the south-east corner of Section thirteen (13), Township one (1) North, Range eighteen (18) East; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the north-east corner of Section sixteen (16), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence northerly to the south-east corner of Section five (5), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the north-west corner of Section two (2), Township one (1) North, Range seventeen (17) East; thence southerly to the south-west corner of Section eleven (11), said township; thence easterly to the south-east corner of said section;

thence southerly to the south-east corner of Section twenty-three (23), said township; thence westerly to the north-west corner of Section twenty-seven (27), said township; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section thirty-one (31), said township; thence southerly, allowing for the proper offset on the Base Line, to the south-west corner of the north-west quarter of Section seven (7), Township one (1) South, Range seventeen (17) East; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-west corner of Section twenty (20), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section twenty-eight (28), said township; thence easterly to the south-east corner of said section; thence southerly, allowing for the proper offset on the township line, to the south-west corner of Section ten (10), Township two (2) South, Range seventeen (17) East; thence easterly to the north-east corner of Section thirteen (13), said township; thence southerly to the north-west corner of Section thirty-one (31), Township three (3) South, Range eighteen (18) East; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the south-west corner of Section thirty-five (35), said township; thence northerly to the north-west corner of the south-west quarter of said section; thence easterly to the south-east corner of the north-west quarter of said section; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of the south-west quarter of Section twenty-five (25), said township; thence easterly to the south-east corner of the north-west quarter of said section; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the north-east corner of said section; thence southerly to the south-west corner of Township four (4) South, Range nineteen (19) East; thence easterly to the north-east corner of Township five (5) South, Range twenty (20) East; thence southerly to the south-west corner of Township six (6) South, Range twenty-one (21) East; thence easterly to the north-east corner of Section six (6), Township seven (7) South, Range twenty-one (21) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section eleven (11), said township; thence southerly to the south-west corner of Section twenty-five (25), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section six (6), Township eight (8) South, Range twenty-two (22) East; thence easterly to the north-east corner of Section twelve (12), said

township; thence southerly to the south-east corner of said township; thence westerly to the north-west corner of Township nine (9) South, Range twenty-three (23) East; thence southerly to the south-west corner of Section eighteen (18), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-east corner of said township; thence easterly to the north-east corner of Township ten (10) South, Range twenty-four (24) East; thence southerly to the south-east corner of said township; thence easterly to the north-west corner of Section four (4), Township eleven (11) South, Range twenty-five (25) East; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section twenty-two (22), Township twelve (12) South, Range twenty-five (25) East; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-west corner of Township twelve (12) South, Range twenty-six (26) East; thence easterly to the north-east corner of Section five (5), Township thirteen (13) South, Range twenty-six (26) East; thence southerly to the north-west corner of Section sixteen (16), said Township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-east corner of said township; thence easterly along the township line to its intersection with the western boundary of the General Grant National Park; thence in a northerly, easterly, southerly and westerly direction along the boundary of said park to its intersection with the range line between Ranges twenty-seven (27) and twenty-eight (28) East; thence southerly to the south-west corner of Township fourteen (14) South, Range twenty-eight (28) East; thence easterly to the north-east corner of Section three (3), Township fifteen (15) South, Range twenty-eight (28) East; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the north-west corner of Section fifteen (15), Township sixteen (16) South, Range twenty-eight (28) East; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly along the section lines to the point of intersection with the western boundary of the Sequoia National Park; thence, in a northerly, easterly, southerly, easterly, southerly and westerly direction along the boundary of

said park to the north-west corner of Township nineteen (19) South, Range thirty (30) East; thence southerly to the south-east corner of Township twenty (20) South, Range twenty-nine (29) East; thence westerly to the north-west corner of Township twenty-one (21) South, Range thirty (30) East; thence southerly along the range line to its intersection with the northern boundary of the Tule River Indian Reservation; thence, in a general north-easterly, southerly and westerly direction along the boundary of said reservation to its intersection with the range line between Ranges twenty-nine (29) and thirty (30) East; thence southerly to the north-west corner of Township twenty-four (24) South, Range thirty (30) East; thence easterly to the north-east corner of said township; thence southerly to the south-east corner of Township twenty-five (25) South, Range thirty-one (31) East; thence southerly to the south-east corner of Township twenty-six (26) South, Range thirty (30) East; thence westerly to the south-west corner of said township; thence southerly to the south-west corner of Township twenty-eight (28) South, Range thirty (30) East; thence easterly to the north-west corner of Township twenty-nine (29) South, Range thirty-one (31) East; thence southerly to the south-west corner of said township; thence easterly to the south-west corner of Section thirty-six (36), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence southerly to the south-west corner of Township twenty-nine (29) South, Range thirty-three (33) East; thence easterly to the south-east corner of Section thirty-four (34), said township; thence northerly to the north-west corner of Section twenty-six (26), said township; thence easterly to the south-east corner of Section twenty-four (24), Township twenty-nine (29) South, Range thirty-three and one-half ($33\frac{1}{2}$) East; thence northerly to the north-west corner of Section nineteen (19), Township twenty-nine (29) South, Range thirty-four (34) East; thence easterly to the south-east corner of Section seventeen (17), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section nine (9), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section three (3), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Township twenty-eight (28) South, Range thirty-seven (37) East; thence northerly to the north-east cor-

ner of Township twenty-five (25) South, Range thirty-seven (37) East; thence easterly to the south-east corner of Township twenty-four (24) South, Range thirty-seven (37) East; thence northerly to the north-east corner of said township; thence easterly to the south-east corner of Township twenty-three (23) South, Range thirty-seven (37) East; thence northerly to the north-east corner of Township twenty-one (21) South, Range thirty-seven (37) East; thence westerly to the south-west corner of Section thirty-two (32), Township twenty (20) South, Range thirty-seven (37) East; thence northerly to the north-east corner of Section six (6), said township; thence westerly to the north-west corner of said township; thence northerly to the north-east corner of the south-east quarter of Section thirty-six (36), Township nineteen (19) South, Range thirty-six (36) East; thence westerly to the south-west corner of the north-east quarter of Section thirty-five (35), said township; thence northerly to the north-west corner of the south-east quarter of Section fourteen (14), said township; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-west corner of Section twenty-five (25), Township eighteen (18) South, Range thirty-six (36) East; thence easterly to the north-east corner of the north-west quarter of said section; thence northerly to the south-east corner of the south-west quarter of Section twelve (12), said township; thence westerly to the south-west corner of said section; thence northerly to the north-east corner of Section thirty-five (35), Township seventeen (17) South, Range thirty-six (36) East; thence westerly to the north-west corner of the north-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of Section two (2), said township; thence westerly to the south-west corner of Section thirty-six (36), Township sixteen (16) South, Range thirty-five (35) East; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of said township; thence westerly to the south-west corner of Section thirty-six (36), Township fifteen (15) South, Range thirty-five (35) East; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of Section twenty-four (24), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-east corner of Township fourteen (14) South, Range thirty-four (34) East; thence westerly to the south-west corner of Section thirty-five (35), Township thirteen (13) South, Range thirty-four (34) East; thence northerly to the north-east corner of the south-east quarter of Section thirty-four (34), said township; thence westerly to the south-

west corner of the north-east quarter of said section; thence northerly to the north-west corner of the south-east quarter of Section twenty-seven (27), said township; thence easterly to the south-east corner of the north-east quarter of said section; thence northerly to the north-west corner of west lot one (1) in Section two (2), said township; thence easterly to the north-east corner of said lot; thence northerly to the north-west corner of the west half of east lot six (6) in said section; thence westerly to the south-west corner of Section thirty-four (34), Township twelve (12) South, Range thirty-four (34) East; thence northerly to the north-east corner of the south-east quarter of Section thirty-three (33), said township; thence westerly to the south-west corner of the north-east quarter of said section; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the south-west corner of Section twenty-eight (28), said township; thence northerly to the north-east corner of Section five (5), Township eleven (11) South, Range thirty-four (34) East; thence westerly to the south-west corner of Section thirty-six (36), Township ten (10) South, Range thirty-three (33) East; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of said township; thence westerly to the south-west corner of Section thirty-five (35), Township nine (9) South, Range thirty-three (33) East; thence northerly to the north-west corner of Section two (2), said township; thence westerly to the south-west corner of Section thirty-three (33), Township eight (8) South, Range thirty-three (33) East; thence northerly to the north-east corner of Section twenty (20), said township; thence westerly to the south-west corner of Section seventeen (17), said township; thence northerly to the north-east corner of Section seven (7), said township; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-east corner of Township eight (8) South, Range thirty-two (32) East; thence westerly to the south-west corner of Section thirty-six (36), Township seven (7) South, Range thirty-two (32) East; thence northerly to the north-east corner of Section twenty-six (26), said township; thence westerly to the south-east corner of Section nineteen (19), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section thirteen (13), Township seven (7) South, Range thirty-one (31) East; thence westerly to the south-west corner of Section eleven (11), said township; thence northerly to the north-east corner of Section three (3), said township; thence westerly to the south-west corner of Section thirty-two (32), Township six (6) South, Range thirty-one (31)

East; thence northerly to the north-east corner of Section eighteen (18), said township; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section nineteen (19), Township five (5) South, Range thirty-one (31) East; thence easterly to the south-east corner of Section seventeen (17), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section ten (10), said township; thence northerly to the north-east corner of Section three (3), said township; thence westerly to the south-west corner of Section thirty-four (34), Township four (4) South, Range thirty-one (31) East; thence northerly to the north-east corner of Section twenty-one (21), said township; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the north-west corner of Section five (5), Township four (4) South, Range thirty (30) East; thence southerly to the south-east corner of Section thirty-one (31), said township; thence westerly to the south-west corner of Section thirty-six (36), Township four (4) South, Range twenty-nine (29) East; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section twenty-seven (27), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section twenty-one (21), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section seventeen (17), said township; thence northerly to the south-east corner of Section seven (7), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Section thirty-six (36), Township three (3) South, Range twenty-eight (28) East; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of said township; thence westerly to the south-west corner of Section thirty-six (36), Township two (2) South, Range twenty-eight (28) East; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty (30), said township; thence northerly to the north-west corner of Section eighteen (18), said township; thence easterly to the south-east corner of Section nine (9), said township; thence northerly to the north-east corner of Section four (4), said township; thence westerly to the south-west corner of Section thirty-three (33), Township one (1) South, Range twenty-six (26) East; thence northerly, allowing for the proper offset on the Base Line, to the north-east corner of Section seventeen (17), Township one (1) North, Range twenty-six (26) East; thence westerly to the north-west corner of said section;

thence northerly to the north-east corner of Section six (6), said township; thence westerly to the south-west corner of Township two (2) North, Range twenty-five (25) East; thence northerly to the north-east corner of Township two (2) North, Range twenty-four (24) East; thence westerly along the township line to its intersection with the eastern boundary of the Yosemite National Park; thence in a general southeasterly, southwesterly, westerly and northwesterly direction along the boundary of said park to its intersection with the township line between Townships two (2) and three (3) North; thence westerly to the north-west corner of Township two (2) North, Range nineteen (19) East, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 25th day of July,
[SEAL.] in the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes,"

"That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Kansas, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Kansas, and within the boundaries particularly described as follows:

Beginning at the north-east corner of Section twenty-six (26), Township twenty-four (24) South, Range thirty-three (33) West, Sixth (6th) Principal Meridian, Kansas; thence southerly to the north-west corner of Section twelve (12), Township twenty-five (25) South, Range thirty-three (33) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section fourteen (14), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty-two (22), said township; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the north-west corner of Section five (5), Township twenty-six (26) South, Range thirty-three (33) West; thence southerly to the south-east corner of Section seven (7), said township; thence westerly to the south-west corner of said section; thence southerly to the north-east corner of Section thirty-six (36), Township twenty-six (26) South, Range thirty-four (34) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section four (4), Township twenty-seven (27) South, Range thirty-three (33) West; thence southerly to the south-east corner of Section nine (9), said township; thence westerly to the south-west corner of Section eight (8), Township twenty-seven (27) South, Range thirty-four (34) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section four (4), Township twenty-seven (27) South, Range

thirty-six (36) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty-two (32), Township twenty-six (26) South, Range thirty-six (36) West; thence northerly to the north-west corner of said section; thence easterly to the south-east corner of Section twenty-seven (27), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section twenty-two (22), said township; thence easterly to the south-west corner of Section eighteen (18), Township twenty-six (26) South, Range thirty-five (35) West; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the south-west corner of Section five (5), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the north-west corner of Section three (3), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of Section one (1), said township; thence northerly to the north-east corner of said township; thence easterly to the south-west corner of Section thirty-two (32), Township twenty-five (25) South, Range thirty-four (34) West; thence northerly to the north-west corner of said section thence easterly to the north-east corner of said section; thence northerly to the south-west corner of Section twenty-one (21), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-west corner of Section fourteen (14), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twelve (12), said township; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of said township; thence easterly to the south-west corner of Section thirty-two (32), Township twenty-four (24) South, Range thirty-three (33) West; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-eight (28), said township, thence easterly to the north-east corner of Section twenty-six (26), said township, the place of beginning;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land

unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as the Garden City Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 25th day of July, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, on June 7, 1905, the Secretary of the Interior directed the Commissioner of Indian Affairs to cause to be selected, by the Uintah Allotment Commission, one or more tracts of land, suitable for townsite purposes, in the Uintah Indian Reservation Lands, State of Utah, to the end that the same might be reserved under the provisions of section 2380 of the Revised Statutes of the United States;

And whereas, on July 6, 1905, the Acting Commissioner of Indian Affairs reported that said commission had selected, as suitable for townsite purposes and as natural and prospective centers of population, certain described lands which he recommended be reserved under the provisions of said section 2380;

And whereas, on July 7 and 27, 1905, the Department of the Interior approved said selection and recommendation so far as it related to the following described lands in the Uintah land district, Utah, and has requested that they be reserved for townsites to be created under existing statute, to-wit:

Lots four, six and seven, the south-west quarter of the north-east quarter, the south half of the north-west quarter, the south-west quarter, and the west half of the south-east quarter of section twenty-five, lot two, the south-east quarter of the north-east quarter, and the east half of the south-east quarter of section twenty-six, in township three south of range two west of the Uintah special meridian;

Also the south-west quarter of the south-east quarter of section thirty-

six, in township three south of range five west, the north half, and the north half of the south half of section one, the east half of the north-east quarter, and the north-east quarter of the south-east quarter of section two, in township four south of range five west of the Uintah special meridian.

And also the south half of the north-east quarter, the south-east quarter, and the south-east quarter of the south-west quarter of section seven, and the north-east quarter of the north-west quarter of section eighteen, in township three south of range two east of the Uintah special meridian;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section 2380 and 2381 of the Revised Statutes of the United States, do hereby declare and make known that said lands are hereby reserved as townsites, to be disposed of by the United States under the terms of the statutes applicable thereto.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 31st day of July
[SEAL.] in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it was declared in my proclamation of July 14, in the year of our Lord 1905, prescribed the manner in which certain lands within the Uintah Indian Reservation should be opened to settlement and entry under the homestead and townsite laws of the United States, among other things as follows:

Commencing on Monday, August 28, 1905, at 9 o'clock a. m., the applications of those drawing numbers 1 to 50, inclusive, must be presented at the land office in the town of Vernal, Utah, in the land district in which said lands are situated, and will be considered in their numerical order during the first day, and the applications of those drawing numbers 51 to 100, inclusive, must be presented and will be considered in their numerical order during the second day, and so on at that rate until all of said lands subject to entry under the homestead

law, and desired thereunder, have been ordered. If any applicant fails to appear and present his application for entry when the number assigned to him by the drawing is reached, his right to enter will be passed until after the other applications assigned for that day have been disposed of, when he will be given another opportunity to make entry, failing in which he will be deemed to have abandoned his right to make entry under such drawing.

And, whereas, there now appear to be ample reasons for a modification of said provision;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the power in me vested by said act of Congress, and for the purpose of modifying the provision of said proclamation above quoted, do hereby declare and direct that said provision be modified to read as follows:

Commencing on Monday, August 28, 1905, at 9 o'clock a. m., the applications of those drawing numbers 1 to 111, inclusive, must be presented at the land office in the town of Vernal, Utah, in the land district in which said lands are situated, and will be considered in their numerical order during the first day, and the applications of those drawing numbers 112 to 222, inclusive, must be presented and will be considered in their numerical order during the second day, and so on at that rate until all of said lands subject to entry under the homestead law, and desired thereunder, have been entered. If any applicant fails to appear and present his application for entry when the number assigned to him by the drawing is reached, his right to enter will be passed until after the other applications assigned for that day have been disposed of, when he will be given another opportunity to make entry, failing in which he will be deemed to have abandoned his right to make entry under such drawing.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 2d day of August,
[SEAL.] in the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by the act of Congress approved March 3, 1905, entitled, "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes," that "Before the opening of the Uintah Indian Reservation, the President is hereby authorized to set apart and reserve any reservoir site or other lands necessary to conserve the water supply for the Indians or for general agricultural development, and may confirm such rights and water thereon as have already accrued";

And whereas, it is considered necessary to serve the purposes of the act referred to that certain lands in the Uintah Indian Reservation be withdrawn for the purposes indicated;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid act of Congress, approved March third, nineteen hundred and five, do hereby make known and proclaim that certain lands in the Uintah Indian Reservation are hereby withdrawn from disposal, for reservoir site necessary to conserve the water supply for the Indians, or for general agricultural development, the following described lands:

AGRICULTURAL:

All Sections thirty-two (32), thirty-three (33) and thirty-four (34), Township one (1) South, Range five (5) West; all Sections two (2), three (3), four (4), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), south half of Section sixteen (16), south-west quarter of Section seventeen (17), and all Sections eighteen (18) to thirty-six (36), inclusive, Township two (2) South, Range one (1) West; south half of north-east quarter, south half of north-west quarter, south-west quarter and south-east quarter of Section twenty-five (25), south half of north-east quarter, south half of north-west quarter, south-west quarter and south-east quarter of Section twenty-six (26), north-east quarter, north-west quarter, north half of south-west quarter and north half of south-east quarter of Section thirty-five (35), and all of Section thirty-six (36), Township two (2) South, Range three (3) West; all Sections three (3) to eleven (11), inclusive, all Sections fourteen (14) to thirty-two (32), inclusive, and west half of Section thirty-three (33), Township two (2) South, Range four (4) West; all Sections one (1), two (2), three (3), four (4), nine (9), ten (10), eleven (11), and north half of Section sixteen (16), Town-

ship two (2) South, Range five (5) West; south half of north-east quarter, north-west quarter, south-east quarter, south-west quarter of Section three (3), all Sections four (4), five (5), six (6), seven (7), eight (8), and west half of Section nine (9), Township three (3) South, Range one (1) West; all Sections one (1), two (2), three (3), four (4), and five (5), east half of north-east quarter, south half of south-east quarter, and south-west quarter of Section six (6), north half of Section seven (7), north half of Section eight (8), all Sections nine (9), ten (10), eleven (11), and twelve (12), Township three (3) South, Range two (2) West; south half of Section one (1) and all Section eighteen (18), Township three (3) South, Range three (3) West; all Sections three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), Sections thirteen (13) to twenty-three (23), inclusive, Township three (3) South, Range four (4) West; west half of north-east quarter, north-west quarter, west half of south-east quarter, south-west quarter of Section seventeen (17), and all Sections eighteen (18) and nineteen (19), Township two (2) South, Range one (1) East; south-east quarter, south half of south-west quarter of Section twenty-three (23), south-east quarter and south half of south-west quarter of Section twenty-four (24), and all Sections twenty-five (25), twenty-six (26) and thirty-six (36), Township three (3) South, Range one (1) East; all Sections twenty-nine (29), thirty-one (31) and thirty-two (32), south half of Section thirty (30) and west half of Section thirty-three (33), Township three (3) South, Range two (2) East; all Sections four (4), five (5) and nine (9), west half of Section ten (10), all Section fifteen (15), east half of Section sixteen (16), north half of Section twenty-two (22), north-west quarter, south-west quarter and south-east quarter of Section twenty-three (23), north-west quarter of Section twenty-five (25) and north-east quarter of Section twenty-six (26), Township four (4) South, Range two (2) east; all Sections twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), South half of Section twenty-nine (29), south half of Section thirty (30), and all Sections thirty-one (31) to thirty-six (36), inclusive, Township two (2) South Range two (2) West; all Uintah Special Meridian.

RESERVOIR:

All Section eighteen (18), Township two (2) North, Range five (5) West; west half of north-west quarter, and north-west quarter of south-west quarter of Section six (6), east half of Section twelve (12), north-east quarter of Section thirteen (13), Township two (2) North, Range six (6) West; east half of Section one (1), Township two (2) North, Range seven (7) West; south-west quarter of Section thirty-one (31), Township three (3) North, Range six (6) West; all of Township two

(2) South, Range eleven (11) West; all of Township three (3) South, Range eleven (11) West; all of Township four (4) South, Range eleven (11) West; all of township two (2) South, Range twelve (12) West; all of Township three (3) South, Range twelve (12) West; all of Township four (4) South, Range twelve (12) West; north-east quarter, east half of north-west quarter, east half of south-west quarter, north half of south-east quarter and south-east quarter of south-east quarter of Section twenty-one (21), Lots three (3) and four (4), Section twenty-two (22), Lots one (1) and two (2) of Section twenty-seven (27), east half of north-east quarter, south-west quarter of north-east quarter, and east half of north-west quarter of Section twenty-eight (28), Township two (2) South, Range one (1) East; all Uintah Special Meridian.

Warning is expressly given to all persons not to make settlement upon the lands reserved by this Proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 3d day of August,
 [SEAL.] in the year of our Lord one thousand nine hundred and five,
 and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it has been determined that only that portion of the lands reserved by my proclamation of August 3, 1905, hereinafter described, situated in the Uintah Indian Reservation, in the State of Utah, is required for reservoir sites and to conserve and protect the water supply, for the purposes specified in the act of Congress approved March 3, 1905 (33 Stat., 1070), to-wit:

All of sections eighteen (18), nineteen (19), twenty-nine (29), thirty (30), thirty-one (31), and thirty-two (32), in Township two (2) South, Range eleven (11) West; all of Township three (3) South, Range eleven (11) West; all of sections one (1), to and including section twenty-four (24), and all of sections twenty-six, to and including section thirty-two (32) in Township four (4) South, Range eleven (11) West; all of sections one (1), two (2), three (3), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15),

twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), thirty-four (34), thirty-five (35), and thirty-six (36), in Township two (2) South, Range twelve (12) West; and all of sections one (1), two (2), and twelve (12), in Township three (3) South, Range twelve (12) West; all in Uintah Special Meridian.

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the power in me vested by said act, do hereby make known and proclaim that all lands embraced in my said proclamation of August 3, 1905, saving and excepting those hereinbefore described, are hereby excluded and withdrawn from the effects of said proclamation and are hereby restored to the status they occupied prior to their reservation for said purposes.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this fourteenth day of [SEAL.] August, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is believed that the following described lands, to-wit:

Lots three, five, and eight, of section twenty-five, and lot one of section twenty-six, in township three south, of range two west of the Uintah special meridian; and also the southwest quarter of southwest quarter of section nineteen, the northwest quarter of section twenty-nine, and the north half of section thirty, in township three south, of range one west of the Uintah special meridian, in the State of Utah, situate adjacent to other lands in said reservation which were reserved by my proclamation of July 31, in the year of our Lord 1905, are natural and prospective centers of population:

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the power in me vested by the act of Congress, entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling the treaty stipulations with various Indian tribes for the fiscal year ending June thirty, nineteen hundred and six, and for other purposes," ap-

proved March 3, 1905, and by sections 2380 and 2381 of the Revised Statutes of the United States, do hereby declare and make known that the lands above described are hereby reserved as townsites, to be disposed of by the United States under the terms of the Statutes applicable thereto, in connection with other lands reserved for that purpose by my said proclamation of July 31, 1905.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington, this fourteenth day of August, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ALVEY A. ADEE,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Colorado, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation,

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Colorado, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section seventeen (17), Township two (2) South, Range eighty-two (82) West, Sixth (6th) Principal Meridian, Colorado; thence easterly to the south-west corner of

Section ten (10), Township two (2) South, Range eighty-one (81) West; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the north-west corner of Section two (2), said township; thence southerly to the south-west corner of Section thirty-five (35), said township; thence easterly to the south-east corner of said township; thence southerly to the south-west corner of Township three (3) South, Range eighty (80) West; thence easterly to the south-east corner of said township; thence southerly to the south-west corner of Township five (5) South, Range seventy-nine (79) West; thence easterly along the First (1st) Correction Line South to the north-west corner of Township six (6) South, Range seventy-nine (79) West; thence southerly to the north-east corner of Township eight (8) South, Range eighty (80) West; thence westerly to the north-west corner of Township eight (8) South, Range eighty-one (81) West; thence southerly to the north-east corner of Township ten (10) South; Range eighty-two (82) West; thence westerly to the north-west corner of said township; thence southerly, allowing for the proper offset on the Second (2nd) Correction Line South, to the north-east corner of Township twelve (12) South, Range eighty-three (83) West; thence westerly along the township line to the north-west corner of Township twelve (12) South, Range eighty-eight (88) West; thence northerly, allowing for the proper offset on the Second (2nd) Correction Line South, to the north-east corner of Township nine (9) South, Range eighty-nine (89) West; thence easterly to the north-east corner of Section two (2), Township nine (9) South, Range eighty-seven (87) West; thence southerly to the south-east corner of Section twenty-six (26), said township; thence easterly to the north-east corner of Section thirty-three (33), Township nine (9) South, Range eighty-six (86) West; thence southerly to the south-east corner of Section four (4), Township ten (10) South, Range eighty-six (86) West; thence easterly to the north-east corner of Section ten (10), Township ten (10) South, Range eighty-five (85) West; thence southerly to the south-east corner of Section fifteen (15), said township; thence easterly to the north-east corner of Section twenty (20) Township ten (10) South, Range eighty-four (84) West; thence northerly to the north-west corner of Section four (4), said township; thence westerly to the south-west corner of Section thirty-six (36), Township nine (9) South, Range eighty-five (85) West; thence northerly to the south-east corner of Section eleven (11), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of Section two (2), said township; thence westerly to the south-east corner of Section eight (8) South, Range eighty-six (86) West; thence northerly to the south-east corner of Section twenty-four (24), said township; thence westerly to the south-west corner of

Section Twenty-three (23), said township; thence northerly to the north-west corner of Section two (2), said township; thence westerly to the south-west corner of Section thirty-six (36), Township seven (7) South, Range eighty-seven (87) West; thence northerly to the north-west corner of Section one (1), said township; thence easterly to the north-east corner of said township; thence northerly to the north-west corner of Township six (6) South, Range eighty-six (86) West; thence easterly along the First (1st) Correction Line South to the south-west corner of Section thirty-three (33), Township five (5) South, Range eighty-three (83) West; thence northerly to the north-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of Section twenty-one (21), Township five (5) South, Range eighty-one (81) West; thence southerly to the south-east corner of Section thirty-three (33), said township; thence easterly to the south-west corner of Section thirty-six, said township; thence northerly to the north-west corner of Section thirteen (13), said township; thence easterly to the north-east corner of said section; thence northerly to the south-east corner of Section one (1), said township; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the south-east corner of Section twenty-five (25), Township four (4) South, Range eighty-two (82) West; thence westerly to the south-west corner of Section twenty-seven (27), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-west corner of Section nineteen (19), Township three (3) South, Range eighty-two (82) West; thence easterly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-west corner of Section three (3), said township; thence westerly to the south-west corner of Section thirty-two (32), Township two (2) South, Range eighty-two (82) West; thence northerly to the north-west corner of Section seventeen (17), said township, the place of beginning;

Also, all Township three (3) South, Range eighty-four (84) West;

Such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception

shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as the Holy Cross Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 25th day of August,
[SEAL.] in the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,

Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Utah, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Utah, and within the boundaries particularly described as follows:

Beginning at the north-east corner of Section seventeen (17), Township thirty-eight (38) South, Range thirteen (13) West, Salt Lake

Meridian, Utah; thence southerly to the south-east corner of Section thirty-two (32), said township; thence easterly to the north-east corner of Township thirty-nine (39) South, Range thirteen (13) West; thence southerly to the south-east corner of said township; thence westerly to the north-east corner of Section four (4), Township forty (40) South, Range thirteen (13) West; thence southerly to the south-east corner of Section nine (9), said township; thence westerly to the south-west corner of Section seven (7), said township; thence southerly to the south-east corner of Township forty (40) South, Range fourteen (14) West; thence westerly along the Eighth (8th) Standard Parallel South, allowing for the proper offset, to the south-west corner of Township forty (40) South, Range sixteen (16) West; thence northerly to the north-west corner of said township; thence westerly to the boundary line between the States of Nevada and Utah; thence northerly along said state boundary line to the township line between Townships thirty-six (36) and thirty-seven (37) South; thence easterly to the north-east corner of Township thirty-seven (37) South, Range nineteen (19) West; thence southerly to the north-west corner of Section nineteen (19), Township thirty-seven (37) South, Range eighteen (18) West; thence easterly to the north-east corner of Section twenty-four (24), Township thirty-seven (37) South, Range sixteen (16) West; thence southerly to the south-west corner of Township thirty-seven (37) South, Range fifteen (15) West; thence easterly to the north-east corner of Township thirty-eight (38) South, Range fourteen (14) West; thence southerly to the north-west corner of Section eighteen (18), Township thirty-eight (38) South, Range thirteen (13) West; thence easterly to the north-east corner of Section seventeen (17), said township, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved in this proclamation.

The reservation hereby established shall be known as the Dixie Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 25th day of September, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

FRANCIS B. LOOMIS,
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the Territory of New Mexico, within the limits hereinafter described are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the Territory of New Mexico, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section four (4), Township two (2) North, Range thirty-two (32) East, New Mexico Principal Meridian, New Mexico; thence easterly to the north-west corner of Section one (1), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section seven (7), Township two (2) North, Range thirty-three (33) East; thence

easterly to the north-east corner of Section seventeen (17), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-west corner of Section two (2), Township one (1) North, Range thirty-three (33) East; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section seventeen (17), Township one (1) North, Range thirty-five (35) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section nineteen (19), Township one (1) North, Range thirty-six (36) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-east corner of said section; thence easterly along the section lines to the boundary line between the Territory of New Mexico and the State of Texas, as it now exists or may hereafter be established; thence southerly along said boundary line to the section line between Sections ten (10) and fifteen (15), Township two (2) South, Range thirty-seven (37) East, New Mexico Principal Meridian, New Mexico, or extension thereof; thence westerly to the south-east corner of Section eight (8), Township two (2) South, Range thirty-six (36) East; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section six (6), said township; thence westerly to the north-west corner of said township; thence northerly to the north-east corner of Section twenty-five (25), Township one (1) South, Range thirty-five (35) East; thence westerly to the south-east corner of Section twenty-one (21), said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section nine (9), Township one (1) South, Range thirty-four (34) East; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section three (3), Township one (1) South, Range thirty-three (33) East; thence northerly to the north-west corner of said section; thence westerly to the south-east corner of Township one (1) North, Range thirty-two (32) East; thence northerly to the north-east corner of Section thirty-six (36), said township; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section twenty-three (23), said township; thence westerly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-east corner of Section nine (9), said township;

thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Section thirty-five (35), Township two (2) North, Range thirty-one (31) East; thence northerly to the north-west corner of Section fourteen (14), said township; thence easterly to the south-east corner of Section twelve (12), said township; thence northerly to the north-east corner of said section; thence easterly to the south-west corner of Section four (4), Township two (2) North, Range thirty-two (32) East; thence northerly to the north-west corner of said section, the place of beginning;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as the Portales Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 3d day of October, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, the Little Belt Mountains Forest Reserve, in the State of Montana, was established by proclamation dated August sixteenth, nineteen hundred and two, under and by virtue of section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", which provides, "That the President of the United

States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof”;

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, “An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes”, that “the President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve”;

And whereas, it appears that the public good would be promoted by adding to the said forest reserve certain lands, within the State of Montana, which are in part covered with timber;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid act of Congress, approved June fourth, eighteen hundred and ninety-seven, do hereby make known and proclaim that the aforesaid Little Belt Mountains Forest Reserve is hereby enlarged to include the said additional lands, and that the boundaries of the reserve are, accordingly, changed to read as follows:

Beginning at the north-east corner of Township fifteen (15) North, Range ten (10) East, Principal Meridian, Montana; thence southerly to the south-west corner of Township fifteen (15) North, Range eleven (11) East; thence easterly to the north-east corner of Section four (4), Township fourteen (14) North, Range eleven (11) East; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of Township thirteen (13) North, Range eleven (11) East; thence southerly, allowing for the offset on the Third (3rd) Standard Parallel North, to the south-west corner of Township twelve (12) North, Range twelve (12) East; thence easterly to the north-east corner of Township eleven (11) North, Range thirteen (13) East; thence southerly to the south-east corner of Township ten (10) North, Range thirteen (13) East; thence westerly to the south-west corner of Township ten (10) North, Range ten (10) East; thence northerly to the north-east corner of Township ten (10) North, Range nine (9) East; thence westerly to the south-west corner of Section thirty-four (34), Township eleven (11) North, Range nine (9) East; thence northerly to the north-east corner of Section four (4), said township; thence west-

erly to the south-west corner of Township twelve (12) North, Range nine (9) East; thence northerly to the north-east corner of Township twelve (12) North, Range eight (8) East; thence westerly to the south-west corner of Section thirty-four (34), Township thirteen (13) North, Range eight (8) East; thence northerly to the north-east corner of Section twenty-one (21), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-west corner of Township fifteen (15) North, Range eight (8) East; thence easterly to the north-east corner of Township fifteen (15) North, Range ten (10) East, the place of beginning;

And further beginning at the south-west corner of Section six (6), Township seven (7) North, Range eight (8) East, Principal Meridian, Montana; thence northerly to the north-east corner of Section thirty-six (36), Township eight (8) North, Range seven (7) East; thence westerly to the south-west corner of Section twenty-five (25), said township; thence northerly to the north-east corner of Section twenty-six (26), said township; thence westerly to the south-west corner of Section twenty-three (23), said township; thence northerly, allowing for the offset on the Second (2nd) Standard Parallel North, to the north-west corner of Section twenty-six (26), Township nine (9) North, Range seven (7) East; thence easterly to the south-east corner of Section twenty-three (23), said township; thence northerly to the north-west corner of Section twenty-four (24), said township; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the north-west corner of Section seven (7), Township nine (9) North, Range eight (8) East; thence easterly to the north-east corner of Section eight (8), said township; thence southerly to the south-west corner of Section nine (9), said township; thence easterly to the south-east corner of Section twelve (12), said township; thence northerly to the north-west corner of Township nine (9) North, Range nine (9) East; thence easterly to the north-east corner of Section four (4), said township; thence southerly to the south-west corner of Section three (3), said township; thence easterly to the north-east corner of Section ten (10), said township; thence southerly to the south-west corner of Section fourteen (14), said township; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the north-west corner of Section eighteen (18), Township nine (9) North, Range ten (10) East; thence easterly to the north-east corner of Section seventeen (17), said township; thence southerly to the south-west corner of Section sixteen (16), said township; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-west corner of Section thirty-five (35), said township; thence

easterly to the north-east corner of Section two (2), Township eight (8) North, Range ten (10) East; thence southerly to the south-east corner of Section eleven (11), said township; thence westerly to the south-west corner of Section ten (10), said township; thence northerly of the north-east corner of Section nine (9), said township; thence westerly to the south-west corner of Section four (4), said township; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the north-west corner of Section three (3), Township eight (8) North, Range nine (9) East; thence southerly to the south-east corner of Section nine (9), said township; thence westerly to the north-west corner of Section eighteen (18), said township; thence southerly to the south-east corner of Section thirteen (13), Township eight (8) North, Range eight (8) East; thence westerly to the north-west corner of Section twenty-four (24), said township; thence southerly to the north-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section three (3), Township seven (7) North, Range eight (8) East; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of Section six (6), said township, the place of beginning;

Such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

This reservation shall be known hereafter as the Little Belt Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 3d day of October,
[SEAL.] in the year of our Lord one thousand nine hundred and five,

and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, the Lake Tahoe Forest Reserve, in the State of California, was established by proclamation dated April thirteenth, eighteen hundred and ninety-nine, under and by virtue of section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", which provides, "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", that "the President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve";

And whereas, it appears that the public good would be promoted by including within the said forest reserve certain additional lands, within the States of California and Nevada, which are in part covered with timber;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid act of Congress, approved June fourth, eighteen hundred and ninety-seven, do hereby make known and proclaim that the boundary lines of the aforesaid Lake Tahoe Forest Reserve are hereby so changed and enlarged as to read as follows:

Beginning at the north-west corner of Township seventeen (17) North, Range twelve (12) East, Mount Diablo Base and Meridian,

California; thence easterly to the north-east corner of Township seventeen (17) North, Range seventeen (17) East; thence southerly to the south-west corner of Section six (6), Township seventeen (17) North, Range eighteen (18) East; thence easterly to the south-east corner of Section four (4), said township, in the State of Nevada; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section thirty-four (34), Township eighteen (18) North, Range eighteen (18) East; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section twenty-six (26), said township; thence northerly to the north-east corner of said section; thence easterly to the north-east corner of Section twenty-seven (27), Township eighteen (18) North, Range nineteen (19) East; thence southerly to the north-east corner of Section thirty-four (34), Township seventeen (17) North, Range nineteen (19) East; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of east lot two (2) in Section six (6), Township sixteen (16) North, Range nineteen (19) East; thence southerly to the south-west corner of the south-east quarter of Section thirty-one (31), said township; thence westerly to the north-east corner of Township fifteen (15) North, Range eighteen (18) East; thence southerly to the south-east corner of Section one (1), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly along the Third (3rd) Standard Parallel North to its intersection with the shore-line of Lake Tahoe; thence in a general north-westerly and southerly direction along said shore-line to the north-east corner of lot six (6) in Section twenty-two (22), Township thirteen (13) North, Range seventeen (17) East, Mount Diablo Base and Meridian, California; thence southeasterly in a direct line to the north-east corner of lot one (1) in said section; thence in a general southeasterly direction along said shore-line to the point where it is intersected by the range line between Ranges seventeen (17) and eighteen (18) East; thence southerly to the south-west corner of Township twelve (12) North, Range eighteen (18) East; thence easterly to the south-east corner of Section thirty-five (35), said township; thence northerly to the north-east corner of Section eleven (11), said township; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of lot fourteen (14) in Section three (3), said township; thence westerly to the south-west corner of lot three (3) in said section; thence northerly to the north-west corner of said lot; thence easterly to the south-east corner of Section thirty-two (32), Township thirteen (13) North, Range eighteen (18) East; thence northerly along the section line to its intersection with

the shore-line of Lake Tahoe; thence in a general north-easterly direction along said shore-line to the point where it is intersected by the boundary line between the States of California and Nevada; thence in a general south-easterly direction along said state-boundary line to its intersection with the township line between Townships twelve (12) and thirteen (13) North; thence easterly to the north-east corner of Section six (6), Township twelve (12), North, Range nineteen (19) East, Mount Diablo Base and Meridian, Nevada; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section eight (8), said township; thence southerly along the section lines to the point of intersection with the boundary line between the States of California and Nevada; thence in a general southeasterly direction along said state-boundary line to its intersection with the section line between Sections twenty-six (26) and twenty-seven (27), said township; thence southerly to the south-east corner of Section fifteen (15), Township eleven (11) North, Range nineteen (19) East, Mount Diablo Base and Meridian, California; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the south-west corner of Township eleven (11) North, Range sixteen (16) East; thence northerly to the south-east corner of Township twelve (12) North, Range fifteen (15) East; thence westerly to the south-west corner of Section thirty-four (34), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section twenty-eight (28), said township; thence northerly to the south-east corner of Section seventeen (17), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section nine (9), Township twelve (12) North, Range fourteen (14) East; thence northerly to the north-east corner of Section twenty-nine (29), Township thirteen (13) North, Range fourteen (14) East; thence westerly to the north-east corner of Section twenty-six (26), Township thirteen (13) North, Range thirteen (13) East; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the north-west corner of Section four (4), Township twelve (12) North, Range thirteen (13) East; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of Section one (1), Township twelve (12) North, Range twelve (12) East; thence northerly to the north-west corner of said section; thence westerly to the south-east corner of Township thirteen (13) North, Range eleven (11) East; thence northerly to the north-

east corner of Section twenty-five (25), said township; thence westerly to the south-east corner of Section twenty-three (23), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the south-east corner of Section ten (10), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section five (5), said township; thence northerly to the north-west corner of Section thirty-two (32), Township fourteen (14) North, Range eleven (11) East; thence easterly to the south-east corner of Section twenty-seven (27), said township; thence northerly to the north-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of Section nine (9), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the south-east corner of Section twelve (12), Township fifteen (15) North, Range ten (10) East; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of said township; thence easterly to the south-west corner of Section thirty-four (34), Township sixteen (16) North, Range eleven (11) East; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the south-west corner of Section twenty-three (23), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the north-west corner of Township seventeen (17) North, Range twelve (12) East, the place of beginning;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

This reservation shall be known hereafter as the Tahoe Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 3d day of October, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President :

ELIHU ROOT,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, the Lincoln Forest Reserve, in the Territory of New Mexico, was established by proclamation dated July twenty-sixth, nineteen hundred and two, under and by virtue of section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," which provides, "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," that "the President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve";

And whereas, it appears that the public good would be promoted by releasing and excluding certain lands from the said forest reserve, and by including therein certain additional lands, in the Territory of New Mexico, which are in part covered with timber;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by the aforesaid act of Congress, approved June fourth, eighteen hundred and ninety-seven, do hereby make known and proclaim that the boundary lines of the afore-

said Lincoln Forest Reserve are hereby so changed as to read as follows:

Beginning at the north-west corner of Township ten (10) South, Range ten (10) East, New Mexico Principal Meridian, New Mexico; thence easterly to the south-west corner of Section thirty-five (35), Township nine (9) South, Range ten (10) East; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-four (24), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section seven (7), Township nine (9) South, Range eleven (11) East; thence easterly to the south-east corner of Section six (6), said township; thence northerly to the north-west corner of Section five (5), said township; thence easterly to the south-east corner of Section thirty-two (32), Township eight (8) South, Range eleven (11) East; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section twenty-five (25), fractional Township eight (8) South, Range twelve (12) East; thence northerly to the north-east corner of said township; thence westerly to the south-east corner of Section thirty-five (35), Township seven (7) South, Range eleven (11) East; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section fourteen (14), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section one (1), said township; thence easterly to the north-east corner of fractional Township seven (7) South, Range twelve (12) East; thence southerly to the south-west corner of Section seven (7), Township seven (7) South, Range thirteen (13) East; thence easterly to the south-east corner of Section twelve (12), said township; thence northerly to the north-west corner of Township seven (7) South, Range fourteen (14) East; thence easterly to the north-east corner of Section six (6), said township; thence southerly to the south-west corner of Section eight (8), said township; thence easterly to the north-east corner of Section fifteen (15), said township; thence southerly to the south-west corner of Section twenty-three (23), said township; thence easterly to the south-east corner of Section twenty-two (22), Township seven (7) South, Range fifteen (15) East; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section seventeen (17), Township seven (7) South, Range sixteen (16) East; thence northerly to the north-east corner of said section; thence easterly to the north-east corner of Section thirteen (13), Township seven (7) South, Range seventeen (17) East; thence southerly to the south-west corner of Section nineteen (19), Township seven (7) South,

Range eighteen (18) East; thence easterly to the north-east corner of Section twenty-seven (27), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-east corner of Section twenty-four (24), Township eight (8) South, Range eighteen (18) East; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of Section two (2), Township nine (9) South, Range eighteen (18) East; thence southerly to the north-east corner of Section twenty-seven (27), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section thirty-one (31), said township; thence southerly to the south-east corner of Township nine (9) South, Range seventeen (17) East; thence westerly to the south-west corner of said township; thence northerly to the north-west corner of said township; thence westerly to the south-east corner of Township eight (8) South, Range fourteen (14) East; thence northerly to the north-east corner of Section twenty-four (24), said township; thence westerly to the north-west corner of Section twenty-one (21), said township; thence southerly to the south-east corner of the north-east quarter of Section twenty-nine (29), said township; thence westerly to the north-west corner of the south-west quarter of Section thirty (30), said township; thence southerly to the south-west corner of Township nine (9) South, Range fourteen (14) East; thence easterly along the township line to the western boundary line of the abandoned Fort Stanton Military Reservation; thence in a general south-easterly and north-easterly direction along the boundary of said reservation as extended by Executive order dated November first, eighteen hundred and ninety-nine, for the use of the United States Marine Hospital Service, to the north-west corner of lot two (2) in Section three (3), Township ten (10) South, Range fifteen (15) East; thence easterly to the north-east corner of said township; thence southerly to the south-east corner of Township eleven (11) South, Range fifteen (15) East; thence westerly to the south-west corner of Township eleven (11) South, Range thirteen (13) East; thence northerly to the north-west corner of said township; thence westerly to the south-west corner of Section thirty-five (35), Township ten (10) South, Range ten (10) East; thence northerly to the north-east corner of Section twenty-two (22), said township; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-west corner of said township, the place of beginning;

And further beginning at the north-east corner of Township thirteen (13) South, Range eleven (11) East; thence southerly to the south-

east corner of said township; thence westerly to the south-west corner of Section thirty-four (34), Township thirteen (13) South, Range ten (10) East; thence northerly to the north-east corner of Section twenty-eight (28), said township; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section eight (8), said township; thence westerly to the north-west corner of said section; thence northerly to the south-west corner of Section twenty-nine (29), Township twelve (12) South, Range ten (10) East; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section twenty-one (21), said township; thence northerly to the south-west corner of Section ten (10), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section two (2), said township; thence northerly to the north-west corner of lot three (3) in Section one (1), said township; thence easterly to the north-east corner of lot one (1) in said section; thence southerly to the south-west corner of Township twelve (12) South, Range eleven (11) East; thence easterly to the north-east corner of Township thirteen (13) South, Range eleven (11) East, the place of beginning;

Such of the above-named corners as have not been established by the official surveys, being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

The lands hereby excluded from the reserve and restored to the public domain shall be open to settlement from the date hereof, but shall not be subject to entry, filing or selection until after ninety days' notice by such publication as the Secretary of the Interior may prescribe.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 3d day of October,

[SEAL.] in the year of our Lord, one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of Montana, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Montana, and within the boundaries particularly described as follows:

, Beginning at the north-east corner of Section five (5), Township eight (8) North, Range five (5) East, Principal Meridian, Montana; thence southerly to the south-west corner of Section sixteen (16), Township seven (7) North, Range five (5) East; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-east corner of Section three (3), Township six (6) North, Range five (5) East; thence westerly to the north-west corner of Section ten (10), said township; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section fifteen (15), said township; thence southerly to the south-east corner of Section twenty-seven (27), said township; thence westerly to the north-west corner of Section thirty-four (34), Town-

ship six (6) North, Range four (4) East; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section three (3), Township five (5) North, Range four (4) East; thence southerly to the south-west corner of Section two (2), said township; thence easterly to the north-east corner of the north-west quarter of Section eleven (11), said township; thence southerly to the south-west corner of the south-east quarter of said section; thence easterly to the south-east corner of Section twelve (12), said township; thence northerly to the north-west corner of Section seven (7), Township five (5) North, Range five (5) East; thence easterly to the north-east corner of Section eight (8), said township; thence southerly to the south-west corner of the north-west quarter of Section nine (9), said township; thence easterly to the south-east corner of the north-east quarter of Section ten (10), said township; thence northerly to the north-west corner of Section eleven (11), said township; thence easterly to the north-east corner of Section twelve (12), said township; thence northerly to the north-west corner of Township five (5) North, Range six (6) East; thence easterly to the north-east corner of Section six (6), said township; thence southerly to the south-west corner of Section seventeen (17), said township; thence easterly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-west corner of Section twenty-two (22), said township; thence easterly to the south-east corner of Section twenty-three (23), said township; thence northerly to the north-west corner of Section thirteen (13), said township; thence easterly to the north-east corner of said section; thence southerly to the north-east corner of Section thirty-six (36), said township; thence westerly to the north-west corner of said section; thence southerly, allowing for the offset on the First (1st) Standard Parallel North, to the south-east corner of Section two (2), Township four (4) North, Range six (6) East; thence westerly to the north-west corner of Section eleven (11), said township; thence southerly to the south-west corner of Section thirty-five (35), said township; thence easterly to the south-east corner of said township; thence northerly to the north-west corner of Section thirty (30), Township four (4) North, Range seven (7) East; thence easterly to the south-east corner of Section nineteen (19), said township; thence northerly to the north-west corner of Section twenty (20), said township; thence easterly to the north-east corner of said section; thence southerly to the south-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-east corner of Section four (4), Township three (3) North, Range seven (7) East; thence westerly to the north-west corner of Section nine (9), said township; thence southerly to the south-east

corner of Section eight (8), said township; thence westerly to the north-west corner of Section eighteen (18), said township; thence southerly to the south-east corner of Section twenty-four (24), Township three (3) North, Range six (6) East; thence westerly to the north-west corner of Section twenty-six (26), said township; thence southerly to the south-west corner of Section thirty-five (35), said township; thence easterly to the north-east corner of Section two (2), Township two (2) North, Range six (6) East; thence southerly to the south-west corner of Section one (1), said township; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-west corner of Section seven (7), Township two (2) North, Range seven (7) East; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section seventeen (17), said township; thence easterly to the north-west corner of Section twenty-one (21), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section fifteen (15), said township; thence northerly to the north-west corner of Section fourteen (14), said township; thence easterly to the south-west corner of Section twelve (12), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section eighteen (18), Township two (2) North, Range eight (8) East; thence southerly to the south-east corner of Section thirty (30), said township; thence westerly to the north-west corner of Section thirty-six (36), Township two (2) North, Range seven (7) East; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of Section three (3), Township one (1) North, Range seven (7) East; thence southerly to the south-west corner of said section; thence easterly to the north-east corner of Section ten (10), said township; thence southerly to the south-west corner of Section eleven (11), said township; thence easterly to the north-east corner of Section fourteen (14), said township; thence southerly to the south-west corner of Section thirteen (13), said township; thence easterly to the north-east corner of Section nineteen (19), Township one (1) North, Range eight (8) East; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-seven (27), said township; thence southerly to the south-east corner of said section; thence westerly to the north-west corner of Section thirty-four (34), said township; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the north-west corner of Sec-

tion three (3), Township one (1) South, Range eight (8) East; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the north-east corner of Section twenty-seven (27), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section thirty-three (33), said township; thence southerly to the south-east corner of Section thirty-two (32), said township; thence westerly to the south-west corner of said township; thence northerly to the north-east corner of Section thirty-six (36), Township one (1) South, Range seven (7) East; thence westerly to the south-west corner of Section twenty-six (26), said township; thence northerly to the north-east corner of Section twenty-seven (27), said township; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-east corner of Section four (4), said township; thence westerly to the south-west corner of Section thirty-three (33), Township one (1) North, Range seven (7) East; thence northerly to the north-east corner of Section seventeen (17), said township; thence westerly to the north-west corner of said section; thence southerly to the south-east corner of Section thirty-one (31), said township; thence westerly to the north-west corner of Section five (5), Township one (1) South, Range seven (7) East; thence southerly to the south-east corner of Section seven (7), said township; thence westerly to the north-west corner of Section eighteen (18), said township; thence southerly to the south-east corner of Section thirteen (13), Township one (1) South, Range six (6) East; thence westerly to the north-west corner of Section twenty-three (23), said township; thence southerly to the south-east corner of Section twenty-seven (27), said township; thence westerly to the south-west corner of said section; thence northerly to the north-east corner of Section four (4), said township; thence westerly to the south-west corner of Section thirty-two (32), Township one (1) North, Range six (6) East; thence northerly to the south-west corner of Section twenty (20), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section sixteen (16), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the south-west corner of Section thirty-two (32), Township two (2) North, Range six (6) East; thence northerly to the north-east corner of Section thirty-one (31), said township; thence westerly to the south-west corner of Section thirty (30), said township; thence northerly to the north-east corner of Section twenty-four (24), Town-

ship two (2) North, Range five (5) East; thence westerly to the south-west corner of Section thirteen (13), said township; thence northerly to the north-east corner of Section twenty-six (26), Township three (3) North, Range five (5) East; thence westerly to the south-west corner of Section twenty-three (23), said township; thence northerly to the north-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of Section ten (10), said township; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-east corner of Section thirty-two (32), Township four (4) North, Range six (6) East; thence northerly to the north-east corner of Section eight (8), said township; thence westerly to the south-west corner of Section five (5), said township; thence northerly to the north-east corner of Section six (6), said township; thence westerly to the south-west corner of Township five (5) North, Range six (6) East; thence northerly to the north-east corner of Section twenty-five (25), Township five (5) North, Range five (5) East; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section thirty-five (35), said township; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section five (5), Township four (4) North, Range five (5) East; thence southerly to the south-east corner of Section six (6), said township; thence westerly to the south-west corner of Section five (5), Township four (4) North, Range four (4) East; thence northerly, allowing for the offset on the First (1st) Standard Parallel North, to the north-east corner of Section nineteen (19), Township five (5) North, Range four (4) East; thence westerly to the south-west corner of Section eighteen (18), said township; thence northerly to the north-east corner of Section twelve (12), Township five (5) North, Range three (3) East; thence westerly to the south-west corner of Section one (1), said township; thence northerly to the north-east corner of Section two (2), said township; thence westerly to the south-west corner of Section thirty-five (35), Township six (6) North, Range three (3) East; thence northerly to the north-west corner of Section twenty-six (26), said township; thence easterly to the south-east corner of Section twenty-one (21), Township six (6) North, Range four (4) East; thence northerly to the north-east corner of Section four (4), said township; thence westerly to the south-west corner of Section thirty-three (33), Township seven (7) North, Range four (4) East; thence northerly to the north-east corner of Section thirty-two (32), said township; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence northerly to the north-east corner of Section six (6), said township; thence westerly to the south-west corner of Township eight (8) North, Range

four (4) East; thence northerly to the north-east corner of Section twelve (12), Township eight (8) North, Range three (3) East; thence westerly to the south-west corner of Section two (2), said township; thence northerly, allowing for the offset on the Second (2nd) Standard Parallel North, to the north-east corner of Section thirty-four (34), Township nine (9) North, Range three (3) East; thence westerly to the south-west corner of Section twenty-eight (28), said township; thence northerly to the north-east corner of Section twenty-nine (29), said township; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-east corner of Section thirteen (13), Township nine (9) North, Range two (2) East; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section twenty-six (26), Township ten (10) North, Range two (2) East; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-east corner of Section thirteen (13), Township ten (10) North, Range one (1) East; thence westerly to the south-west corner of Section eleven (11), said township; thence northerly to the north-east corner of Section ten (10), said township; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-east corner of Township ten (10) North, Range one (1) West; thence westerly to the south-west corner of Section thirty-three (33), Township eleven (11) North, Range one (1) West; thence northerly to the north-east corner of Section thirty-two (32), said township; thence westerly to the south-west corner of Section twenty-nine (29), said township; thence northerly to the north-east corner of Section thirty (30), said township; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-east corner of Section twelve (12), Township eleven (11) North, Range two (2) West; thence westerly to the south-west corner of Section four (4), said township; thence northerly to the north-west corner of said section; thence westerly along the township line to its intersection with the Missouri River; thence in a general northwesterly direction down the middle of the channel of said river to its intersection with the section line between Sections eleven (11) and twelve (12), Township twelve (12) North, Range three (3) West; thence northerly along the section lines to the intersection of the section line between Sections one (1) and two (2), said township, with the said river; thence in a general northeasterly direction down the middle of the channel of said river to its intersection with the range line between Section eighteen (18), Township thirteen (13) North, Range two (2) West, and Section thirteen (13), Township thirteen (13) North, Range three (3) West; thence northerly to the north-west corner of Section eighteen (18), Township thirteen (13) North,

Range two (2) West; thence easterly to the south-east corner of Section seven (7), said township; thence northerly to the north-west corner of Section five (5), said township; thence easterly to the south-east corner of Township fourteen (14) North, Range two (2) West; thence northerly to the north-west corner of Section thirty (30), Township fourteen (14) North, Range one (1) West; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-west corner of Section twenty-seven (27), said township; thence easterly to the north-east corner of Section thirty-four (34), said township; thence southerly to the south-west corner of Section fourteen (14), Township thirteen (13) North, Range one (1) West; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the north-west corner of Section eighteen (18), Township thirteen (13) North, Range one (1) East; thence easterly to the south-east corner of Section seven (7), said township; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-west corner of Section seven (7), Township thirteen (13) North, Range two (2) East; thence easterly to the north-east corner of Section eighteen (18), said township; thence southerly to the south-west corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of Section thirty-three (33), said township; thence southerly, allowing for the offset on the Third (3rd) Standard Parallel North, to the south-west corner of Section fifteen (15), Township twelve (12) North, Range two (2) East; thence easterly to the north-east corner of Section twenty-three (23), said township; thence southerly to the south-west corner of Section twenty-four (24), said township; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-west corner of Section eighteen (18), Township eleven (11) North, Range three (3) East; thence easterly to the north-east corner of Section twenty (20), said township; thence southerly to the south-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-west corner of Section eighteen (18), Township ten (10) North, Range four (4) East; thence easterly to the south-east corner of said section; thence southerly to the north-west corner of Section thirty-two (32), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section four (4), Township nine (9) North, Range four (4) East; thence southerly to the south-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of said section; thence southerly to the north-west

corner of Section thirty-five (35), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section five (5), Township eight (8) North, Range five (5) East, the place of beginning;

And further beginning at the south-east corner of Section twenty-one (21), Township twelve (12) North, Range four (4) East, Principal Meridian, Montana; thence westerly, allowing for the offset on the range line, to the south-west corner of Section twenty (20), Township twelve (12) North, Range three (3) East; thence northerly to the north-west corner of Section eight (8), said township; thence easterly to the south-east corner of Section five (5), said township; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the south-east corner of Section thirty-four (34), Township thirteen (13) North, Range three (3) East; thence northerly to the north-west corner of Section twenty-six (26), said township; thence easterly, allowing for the offset on the range line, to the north-east corner of Section twenty-nine (29), Township thirteen (13) North, Range four (4) East; thence southerly to the south-west corner of Section twenty-eight (28), said township; thence easterly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of Section three (3), Township twelve (12) North, Range four (4) East; thence southerly to the south-east corner of Section fifteen (15), said township; thence westerly to the north-west corner of Section twenty-two (22), said township; thence southerly to the south-east corner of Section twenty-one (21), said township, the place of beginning;

Such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as the Big Belt Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 3d day of October, in the year of our Lord, one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President :

ELIHU ROOT,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the Territory of Arizona, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the Territory of Arizona, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Township twelve (12) North, Range seven (7) East, Gila and Salt River Meridian, Arizona; thence southerly to the south-west corner of Section six (6), said township; thence easterly to the north-east corner of Section eight (8), said township; thence southerly to the south-east corner of Section seventeen (17), said township; thence westerly to the north-west corner of Section twenty (20), said township; thence southerly to the south-east

corner of Section nineteen (19), Township eleven and one-half (11½) North, Range seven (7) East; thence westerly to the north-west corner of Section thirty (30), said township; thence southerly to the south-west corner of Section nineteen (19), Township eleven (11) North, Range seven (7) East; thence easterly to the north-east corner of Section twenty-nine (29), said township; thence southerly to the south-west corner of Section twenty-eight (28), said township; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-west corner of Township eleven (11) North, Range eight (8) East; thence easterly to the north-east corner of Section five (5), Township ten (10) North, Range eight (8) East; thence southerly to the south-west corner of Section four (4), said township; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-west corner of Section ten (10), said township; thence easterly to the north-east corner of Section fifteen (15), said township; thence southerly to the south-west corner of Section fourteen (14), said township; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the south-east corner of said township; thence westerly to the north-west corner of Township nine (9) North, Range eight (8) East; thence southerly, allowing for the proper offset on the Second (2nd) Standard Parallel North, to the south-west corner of Township eight (8) North, Range eight (8) East; thence easterly to the north-east corner of Section four (4), Township seven (7) North, Range eight (8) East; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of Section three (3), Township six (6) North, Range eight (8) East; thence southerly to the south-east corner of said section; thence easterly to the north-west corner of Section twelve (12), said township; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section eighteen (18), Township six (6) North, Range nine (9) East; thence easterly to the north-east corner of Section twenty (20), said township; thence southerly to the south-west corner of Section four (4), Township five (5) North, Range nine (9) East; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-west corner of Section fifteen (15), said township; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-west corner of Section twenty-three (23), said township; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-west corner of Section twenty-five (25), said township; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-west corner of

Township five (5) North, Range ten (10) East; thence easterly to the north-east corner of Section six (6), Township four (4) North, Range ten (10) East; thence southerly to the south-west corner of Section twenty (20), said township; thence easterly to the north-east corner of Section twenty-nine (29), said township; thence southerly to the south-west corner of Section twenty-eight (28), said township; thence easterly to the north-east corner of Section thirty-three (33), said township; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of Section three (3), Township three (3) North, Range ten (10) East; thence southerly to the south-west corner of Section two (2), said township; thence easterly to the north-east corner of Section eleven (11), said township; thence southerly to the south-west corner of Section twelve (12), said township; thence easterly to the south-east corner of Section nine (9), Township three (3) North, Range eleven (11) East; thence northerly to the north-west corner of Section ten (10), said township; thence easterly to the south-east corner of Section three (3), said township; thence northerly to the north-east corner of Section twenty-seven (27), Township four (4) North, Range eleven (11) East; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-east corner of Section sixteen (16), said township; thence westerly to the south-west corner of Section eight (8), said township; thence northerly to the north-east corner of Section seven (7), said township; thence westerly to the south-west corner of Section six (6), said township; thence northerly, allowing for the proper offset on the First (1st) Standard Parallel North, to the north-west corner of Township six (6) North, Range eleven (11) East; thence easterly to the north-east corner of said township; thence southerly to the south-west corner of Section six (6), Township six (6) North, Range twelve (12) East; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-west corner of Section ten (10), said township; thence easterly to the north-east corner of Section fifteen (15), said township; thence southerly to the south-west corner of Section fourteen (14), said township; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the south-west corner of Township six (6) North, Range thirteen (13) East; thence easterly to the north-east corner of Section six (6), Township five (5) North, Range thirteen (13) East; thence southerly to the south-west corner of Section five (5), said township; thence easterly to the north-east corner of Section eight (8), said township; thence southerly to the south-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-west corner of Section twenty-

seven (27), said township; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-west corner of Township five (5) North, Range fourteen (14) East; thence easterly to the north-east corner of Section five (5), Township four (4) North, Range fourteen (14) East; thence southerly to the south-west corner of Section four (4), said township; thence easterly to the north-east corner of Section nine (9), said township; thence southerly to the south-west corner of Section ten (10), said township; thence easterly along the section lines to the point of intersection with the western boundary of the White Mountain or San Carlos Indian Reservation, or the prolongation thereof; thence in a general northerly direction along the boundary of said reservation to its intersection with the southern boundary of the Black Mesa Forest Reserve; thence in a general north-westerly direction along the boundary of said forest reserve and the Third (3rd) Standard Parallel North to the north-west corner of Township twelve (12) North, Range seven (7) East, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as the Tonto Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 3d day of October, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands in the State of California, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of California, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section three (3), Township forty-two (42) North, Range four (4) West, Mount Diablo Base and Meridian, California; thence easterly to the north-east corner of said township; thence southerly to the south-west corner of Section six (6), Township forty-two (42) North, Range three (3) West; thence easterly to the south-east corner of Section three (3), said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of Section thirty-four (34), Township forty-three (43) North, Range three (3) West; thence northerly to the north-west corner of Section twenty-seven (27), said township; thence easterly to the south-east corner of Section twenty-three (23), Township forty-three (43) North, Range two (2) West; thence northerly to the north-east corner of said section; thence easterly to the north-west corner of Section twenty-three (23), Township forty-three (43) North, Range one (1) West; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-six (36), said township; thence easterly to the north-east corner of Township forty-two (42) North, Range one (1) East; thence southerly to the south-east corner of Section twelve (12), said township; thence westerly to the north-west corner of Section sixteen (16), said township;

thence southerly to the south-east corner of Section twenty-nine (29), said township; thence westerly to the north-west corner of Section thirty-six (36), Township forty-two (42) North, Range one (1) West; thence southerly to the north-east corner of Section eleven (11), Township forty-one (41) North, Range one (1) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section thirteen (13), Township forty-one (41) North, Range two (2) West; thence southerly, allowing for the offset on the Eighth (8th) Standard Parallel North, to the south-east corner of Section eleven (11), Township forty (40) North, Range two (2) West; thence westerly to the north-west corner of Section seventeen (17), said township; thence southerly to the south-east corner of Section nineteen (19), said township; thence westerly to the south-west corner of Section nineteen (19), Township forty (40) North, Range three (3) West; thence northerly to the north-east corner of Section twelve (12), Township forty (40) North, Range four (4) West; thence westerly to the south-west corner of Section two (2), said township; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty-three (33), Township forty-one (41) North, Range four (4) West; thence northerly to the north-west corner of Section twenty-eight (28), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section three (3), Township forty-two (42) North, Range four (4) West, the place of beginning;

And further beginning at the north-east corner of Section six (6), Township forty-one (41) North, Range five (5) West, Mount Diablo Base and Meridian, California; thence southerly to the south-west corner of Section thirty-two (32), said township; thence easterly to the north-east corner of Section four (4), Township forty (40) North, Range five (5) West; thence southerly to the north-east corner of Section sixteen (16), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the north-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of said section; thence southerly, allowing for the offset on the township line, to the south-west corner of Section twelve (12), Township thirty-nine (39) North, Range five (5) West; thence easterly to the north-east corner of Section eighteen (18), Township thirty-nine (39) North, Range four (4) West; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-one (21), said township; thence southerly to the south-east corner of Section nine (9), Township thirty-eight (38) North, Range four (4)

West; thence westerly to the north-west corner of Section seventeen (17), said township; thence southerly to the south-east corner of Section thirty (30), said township; thence westerly to the north-west corner of Section thirty-six (36), Township thirty-eight (38) North, Range five (5) West; thence southerly to the south-east corner of Section two (2), Township thirty-seven (37) North, Range five (5) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section twenty-seven (27), said township; thence westerly to the south-east corner of Section thirty (30), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section twenty-four (24), Township thirty-seven (37) North, Range six (6) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the north-west corner of Section twenty-six (26), said township; thence southerly to the south-west corner of Section two (2), Township thirty-six (36) North, Range six (6) West; thence easterly to the north-west corner of Section seven (7), Township thirty-six (36) North, Range five (5) West; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section twenty (20), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-three (33), said township; thence easterly to the north-east corner of Section five (5), Township thirty-five (35) North, Range five (5) West; thence southerly to the south-east corner of Section thirty-two (32), said township; thence westerly to the south-west corner of said township; thence northerly to the north-east corner of Section thirty-six (36), Township thirty-five (35) North, Range six (6) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of said township; thence northerly to the north-east corner of Section thirty-six (36), Township thirty-five (35) North, Range seven (7) West; thence westerly to the north-west corner of said section; thence southerly to the north-east corner of Section thirty-five (35), Township thirty-four (34) North, Range seven (7) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of said township; thence northerly to the north-east corner of Section thirty-six (36), Township thirty-four (34) North, Range eight (8) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of said township; thence northerly to the north-

east corner of Section thirty-six (36), Township thirty-four (34) North, Range nine (9) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of said township; thence northerly to the north-east corner of Section thirty-six (36), Township thirty-four (34) North, Range ten (10) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of Section thirty-four (34), said township; thence northerly to the north-east corner of Section nine (9), said township; thence westerly to the north-west corner of Section seven (7), said township; thence southerly to the south-east corner of Section twenty-four (24), Township thirty-four (34) North, Range eleven (11) West; thence westerly to the south-east corner of Section twenty-one (21), said township; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section four (4), Township thirty-five (35) North, Range eleven (11) West; thence easterly to the south-east corner of Section thirty-three (33), Township thirty-six (36) North, Range eleven (11) West; thence northerly to the north-west corner of Section ten (10), said township; thence easterly to the north-east corner of Section twelve (12), said township; thence southerly to the south-west corner of Section seven (7), Township thirty-six (36) North, Range ten (10) West; thence easterly to the south-east corner of Section eight (8), said township; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twenty-seven (27), Township thirty-seven (37) North, Range ten (10) West; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section eleven (11), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section thirty-six (36), Township thirty-eight (38) North, Range ten (10) West; thence easterly to the north-east corner of said section; thence northerly to the north-east corner of Township thirty-nine (39) North, Range ten (10) West; thence westerly to the south-west corner of Section thirty-three (33), Township forty (40) North, Range ten (10) West; thence northerly to the north-east corner of fractional Section five (5), said township; thence westerly to the south-west corner of Township forty-one (41) North, Range ten (10) West; thence northerly to the north-west corner of said township; thence easterly to the north-east corner of said township; thence southerly to the north-east corner of Section thirty-six (36), said township; thence westerly to the north-west corner of said section; thence southerly

to the south-west corner of said section; thence easterly to the north-east corner of Section four (4), Township forty (40) North, Range nine (9) West; thence southerly to the north-east corner of Section sixteen (16), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the south-east corner of Section thirty-three (33), Township forty (40) North, Range eight (8) West; thence northerly to the north-west corner of Section twenty-seven (27), said township; thence easterly to the south-west corner of Section twenty-four (24), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section eighteen (18), Township forty (40) North, Range seven (7) West; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of fractional Section five (5), said township; thence easterly to the south-east corner of Section thirty-one (31), Township forty-one (41) North, Range seven (7) West; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section twenty-eight (28), said township; thence northerly to the south-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section eleven (11), said township; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section five (5), Township forty-one (41) North, Range six (6) West; thence northerly to the north-east corner of said section; thence easterly to the north-east corner of Section six (6), Township forty-one (41) North, Range five (5) West, the place of beginning;

And further beginning at the north-west corner of Section twenty-nine (29), Township thirty-nine (39) North, Range one (1) West, Mount Diablo Base and Meridian, California; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-west corner of Section nineteen (19), Township thirty-nine (39) North, Range one (1) East; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of Section eleven (11), fractional Township thirty-eight (38) North, Range one (1) East; thence southerly to the north-west corner of Section thirty-five (35), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said sec-

tion; thence easterly to the north-east corner of Township thirty-seven (37) North, Range one (1) East; thence southerly to the south-west corner of Township thirty-eight (38) North, Range two (2) East; thence easterly to the north-east corner of Section eight (8), fractional Township thirty-seven (37) North, Range two (2) East; thence southerly to the north-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of Section one (1), Township thirty-six (36) North, Range two (2) East; thence southerly to the south-east corner of Section eleven (11), said township; thence westerly to the north-east corner of Section sixteen (16), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the north-east corner of Section twenty-nine (29), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly, allowing for the offset on the range line, to the north-west corner of Section thirty-six (36), Township thirty-six (36) North, Range one (1) East; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the south-west corner of Section thirty-four (34), said township; thence northerly to the north-east corner of Section thirty-three (33), Township thirty-seven (37) North, Range one (1) East; thence westerly to the north-west corner of said section; thence northerly to the south-west corner of Section sixteen (16), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence westerly to the north-east corner of Section fourteen (14), Township thirty-seven (37) North, Range one (1) West; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the north-west corner of Section three (3), Township thirty-six (36) North, Range one (1) West; thence southerly to the south-east corner of Section nine (9), said township; thence westerly to the south-west corner of said section; thence southerly, allowing for the offset on the Seventh (7th) Standard Parallel North, to the north-west corner of Section nine (9), Township thirty-five (35) North, Range one (1) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence southerly to the south-

west corner of Section sixteen (16), said township; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of Section three (3), Township thirty-four (34) North, Range one (1) West; thence southerly to the south-east corner of Section ten (10), said township; thence westerly to the north-west corner of Section sixteen (16), said township; thence southerly to the south-east corner of Section twenty (20), said township; thence westerly to the south-west corner of Section nineteen (19), Township thirty-four (34) North, Range two (2) West; thence northerly to the north-east corner of Section thirty-six (36), Township thirty-five (35) North, Range three (3) West; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence westerly to the south-west corner of Section thirty-three (33), said township; thence northerly to the south-west corner of Section sixteen (16), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence westerly to the north-west corner of said section; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the south-east corner of Township thirty-six (36) North, Range four (4) West; thence northerly to the north-east corner of Section twelve (12), said township; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-west corner of Section thirty (30), Township thirty-seven (37) North, Range four (4) West; thence easterly to the south-east corner of Section twenty-one (21), said township; thence northerly to the north-west corner of Section thirty-four (34), Township thirty-eight (38) North, Range four (4) West; thence easterly to the south-east corner of Section twenty-seven (27), said township; thence northerly to the north-west corner of Section twenty-three (23), said township; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the south-west corner of Section six (6), Township thirty-eight (38) North, Range three (3) West; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence easterly to the south-east corner of Section thirty-one (31), Township thirty-nine (39) North, Range one (1) West; thence northerly to the north-west corner of Section twenty-nine (29), said township, the place of beginning;

Such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions in-

licated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired; *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as the Shasta Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 3d day of October, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, The Madison Forest Reserve, in the State of Montana, was established by proclamation dated August sixteenth, nineteen hundred and two, under and by virtue of section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", which provides, "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, it is further provided by the Act of Congress, approved June fourth, eighteen hundred and ninety-seven, entitled, "An

act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," that "the President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve", under which provision the boundary lines of the said forest reserve were changed and the area thereof reduced by proclamation dated March twenty-eighth, nineteen hundred and five;

And whereas, it appears that the public good would be promoted by including within the said forest reserve certain additional lands, within the State of Montana, which are in part covered with timber;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power vested in me by the aforesaid act of Congress, approved June fourth, eighteen hundred and ninety-seven, do hereby make known and proclaim that the boundary lines of the aforesaid Madison Forest Reserve are hereby so changed and enlarged as to read as follows:

Beginning at the point where the western boundary of the Yellowstone National Park intersects the boundary line between the States of Montana and Idaho; thence in a general north-westerly and south-westerly direction along said state boundary line to its intersection with the range line between Ranges one (1) and two (2) East; thence northerly to the south-east corner of Township thirteen (13) South, Range one (1) East; thence westerly to the south-west corner of said township; thence northerly to the south-east corner of Township twelve (12) South, Range one (1) West; thence westerly to the south-east corner of Township twelve (12) South, Range six (6) West; thence northerly to the north-east corner of said township; thence easterly to the north-east corner of Township twelve (12) South, Range five (5) West; thence northerly, allowing for the proper offset on the Second (2nd) Standard Parallel South, to the north-west corner of Township ten (10) South, Range four (4) West; thence easterly to the south-east corner of Section thirty-three (33), Township nine (9) South, Range four (4) West; thence northerly to the north-west corner of Section fifteen (15), said township; thence easterly to the south-east corner of Section twelve (12), said township; thence northerly to the north-west corner of Section thirty (30), Township seven (7) South, Range three (3) West; thence easterly to the north-east corner of Section twenty-seven (27), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-east corner of said township; thence easterly

to the north-west corner of Township eight (8) South, Range one (1) West; thence southerly to the south-west corner of said township; thence easterly to the south-east corner of said township; thence southerly along the Principal Meridian to its intersection with the Second (2nd) Standard Parallel South; thence easterly along said parallel to its intersection with the western boundary of the Yellowstone National Park; thence southerly along the western boundary of said park to its intersection with the boundary line between the States of Montana and Idaho, the place of beginning;

And further beginning at the north-west corner of Section twenty-six (26), Township one (1) South, Range three (3) West, Principal Meridian, Montana; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of Section thirty-five (35), said township; thence westerly to the north-west corner of Section three (3), Township two (2) South, Range three (3) West; thence southerly to the south-west corner of Section twenty-two (22), said township; thence easterly to the north-east corner of Section twenty-five (25), said township; thence southerly to the south-west corner of Township two (2) South, Range two (2) West; thence easterly to the north-east corner of Section four (4), Township three (3) South, Range two (2) West; thence southerly to the south-east corner of Section nine (9), Township five (5) South, Range two (2) West; thence westerly to the south-west corner of Section seven (7), Township five (5) South, Range three (3) West; thence northerly to the north-east corner of Township five (5) South, Range four (4) West; thence westerly to the south-west corner of Section thirty-four (34), Township four (4) South, Range four (4) West; thence northerly to the north-east corner of Section sixteen (16), said township; thence westerly to the south-west corner of Section nine (9), said township; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the south-west corner of Section thirty-four (34), Township three (3) South, Range five (5) West; thence northerly to the north-west corner of Section twenty-two (22), said township; thence easterly to the south-east corner of Section fifteen (15), said township; thence northerly to the north-west corner of Section two (2), said township; thence easterly to the south-east corner of Section thirty-five (35), Township two (2) South, Range five (5) West; thence northerly to the north-west corner of Section twenty-four (24), said township; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the north-west corner of Section eighteen (18), Township two (2) South, Range four (4) West; thence easterly to the south-east corner of Section seven (7), said township; thence northerly to the north-west corner of Section twenty (20), Township one (1) South, Range four (4)

West; thence easterly to the south-east corner of Section seventeen (17), said township; thence northerly to the north-west corner of Section nine (9), said township; thence easterly to the north-east corner of Section eight (8), Township one (1) South, Range three (3) West; thence southerly to the south-west corner of Section twenty-eight (28), said township; thence easterly to the south-west corner of Section twenty-six (26), said township; thence northerly to the north-west corner of said section, the place of beginning;

Such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 3d day of October, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "And act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing

forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof”;

And whereas, the public lands in the State of Montana, within the limits hereinafter described, are in part covered with timber, and it appears that the public good would be promoted by setting apart and reserving said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do hereby make known and proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation all those certain tracts, pieces or parcels of land lying and being situate in the State of Montana, and within the boundaries particularly described as follows:

Beginning at the north-west corner of Section thirty-two (32), Township thirteen (13) North, Range eighteen (18) West, Principal Meridian, Montana; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section four (4), Township twelve (12) North, Range eighteen (18) West; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section ten (10), said township; thence southerly to the south-west corner of Section fourteen (14), said township; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the south-west corner of Section nineteen (19), Township twelve (12) North, Range seventeen (17) West; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-west corner of Section thirty-four (34), said township; thence easterly to the north-east corner of Section three (3), Township eleven (11) North, Range seventeen (17) West; thence southerly to the south-west corner of Section eleven (11), said township; thence easterly to the north-east corner of Section eighteen (18), Township eleven (11) North, Range sixteen (16) West; thence southerly to the south-east corner of said section; thence easterly to the south-west corner of Section fifteen (15), said township; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence southerly to the south-west corner of the north-west quarter of Section fourteen (14), said township; thence easterly to the north-east corner of the south-east quarter of said section; thence southerly to the south-east corner of said section; thence easterly, allowing for the offset on the range line, to the north-east corner of Section twenty (20), Township eleven (11) North, Range fifteen (15) West; thence southerly

to the south-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of Section twenty-eight (28), Township eleven (11) North, Range fourteen (14) West; thence southerly to the south-east corner of said section; thence westerly to the north-west corner of Section thirty-three (33), said township; thence southerly to the south-east corner of Section eight (8), Township ten (10) North, Range fourteen (14) West; thence westerly to the north-west corner of Section seventeen (17), said township; thence southerly to the south-east corner of Section eighteen (18), said township; thence westerly to the north-west corner of Section nineteen (19), said township; thence southerly to the south-east corner of Section twenty-four (24), Township ten (10) North, Range fifteen (15) West; thence westerly to the north-west corner of Section twenty-five (25), said township; thence southerly to the south-east corner of Section twenty-six (26), said township; thence westerly to the north-west corner of Section thirty-five (35), said township; thence southerly to the south-west corner of Section eleven (11), Township nine (9) North, Range fifteen (15) West; thence easterly to the north-east corner of Section eighteen (18), Township nine (9) North, Range fourteen (14) West; thence southerly to the south-east corner of Section thirty (30), said township; thence westerly to the north-west corner of Section thirty-one (31), said township; thence southerly to the south-west corner of said township; thence easterly to the south-east corner of Section thirty-five (35), said township; thence northerly to the north-east corner of said section; thence easterly to the north-east corner of Section thirty-two (32), Township nine (9) North, Range thirteen (13) West; thence southerly, allowing for the offset on the Second (2nd) Standard Parallel North, to the south-east corner of Section eight (8), Township eight (8) North, Range thirteen (13) West; thence westerly to the north-west corner of Section seventeen (17), said township; thence southerly to the south-east corner of Section eighteen (18), said township; thence westerly to the north-west corner of Section twenty-four (24), Township eight (8) North, Range fourteen (14) West; thence southerly to the south-east corner of Section twenty-six (26), said township; thence westerly to the north-west corner of Section thirty-five (35), said township; thence southerly to the south-east corner of Section thirty-four (34), said township; thence westerly to the north-west corner of Section three (3), Township seven (7) North, Range fourteen (14) West; thence southerly to the south-west corner of said section; thence westerly to the north-east corner of Section seven (7), said township; thence southerly to the south-east corner of said section; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of

Section one (1), Township seven (7) North, Range fifteen (15) West; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section thirty-four (34), Township eight (8) North, Range fifteen (15) West; thence northerly to the north-east corner of Section sixteen (16), said township; thence westerly to the south-west corner of Section nine (9), said township; thence northerly to the north-east corner of Section five (5), said township; thence westerly to the north-west corner of said section; thence southerly to the south-east corner of Section thirty-one (31), said township; thence westerly to the north-west corner of Township seven (7) North, Range fifteen (15) West; thence southerly to the south-east corner of Section one (1), Township seven (7) North, Range sixteen (16) West; thence westerly to the south-west corner of Section two (2), said township; thence northerly to the north-east corner of Section three (3), said township; thence westerly to the north-west corner of Section five (5), said township; thence southerly to the south-west corner of Section seventeen (17), said township; thence easterly to the north-east corner of Section twenty-two (22), said township; thence southerly to the south-west corner of Section twenty-three (23), said township; thence easterly to the north-east corner of Section twenty-six (26), said township; thence southerly to the south-west corner of Section twenty-five (25), said township; thence easterly to the north-east corner of Section thirty-six (36), said township; thence southerly to the south-east corner of Section twenty-four (24), Township six (6) North, Range sixteen (16) West; thence westerly to the north-west corner of Section twenty-five (25), said township; thence southerly to the south-west corner of Section twenty-four (24), Township five (5) North, Range sixteen (16) West; thence easterly to the south-east corner of said section; thence southerly to the north-west corner of Section thirty-one (31), Township five (5) North, Range fifteen (15) West; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the south-east corner of the south-west quarter of Section thirty-three (33), said township; thence northerly to the north-west corner of the north-east quarter of said section; thence easterly to the south-east corner of Section twenty-five (25), said township; thence northerly to the north-west corner of Township five (5) North, Range fourteen (14) West; thence easterly to the south-west corner of Section thirty-three (33), Township six (6) North, Range fourteen (14) West; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence southerly to the south-east corner of said section; thence easterly to the south-east corner of Section thirty-four (34), said township; thence northerly to the north-west corner of Sec-

tion twenty-six (26), said township; thence easterly to the south-east corner of Section twenty-three (23), said township; thence northerly to the north-west corner of Section twenty-four (24), said township; thence easterly to the south-east corner of Section thirteen (13), said township; thence northerly to the north-west corner of Township six (6) North, Range thirteen (13) West; thence easterly to the south-east corner of Section thirty-one (31), Township seven (7) North, Range thirteen (13) West; thence northerly to the north-west corner of Section twenty-nine (29), Township eight (8) North, Range thirteen (13) West; thence easterly to the south-east corner of Section twenty (20), said township; thence northerly to the north-west corner of Section twenty-one (21), said township; thence easterly to the south-east corner of Section sixteen (16), said township; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-west corner of Section thirty-six (36), Township nine (9) North, Range thirteen (13) West; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section thirty (30), Township nine (9) North, Range twelve (12) West; thence easterly to the south-east corner of Section twenty (20), said township; thence northerly to the north-west corner of Section sixteen (16), said township; thence easterly to the north-east corner of Section seventeen (17), Township nine (9) North, Range eleven (11) West; thence southerly to the south-west corner of Section twenty-one (21), said township; thence easterly to the north-east corner of Section twenty-eight (28), said township; thence southerly to the south-west corner of Section twenty-seven (27), said township; thence easterly to the north-east corner of Section thirty-four (34), said township; thence southerly to the south-west corner of Section thirty-five (35), said township; thence easterly to the north-east corner of Township eight (8) North, Range eleven (11) West; thence southerly to the south-west corner of Section seven (7), Township eight (8) North, Range ten (10) West; thence easterly to the south-east corner of said section; thence southerly to the south-east corner of Section thirty (30), Township six (6) North, Range ten (10) West; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Township six (6) North, Range eleven (11) West; thence westerly to the north-west corner of Section one (1), Township five (5) North, Range eleven (11) West; thence southerly to the south-east corner of Section two (2), said township; thence westerly to the north-west corner of Section eleven (11), said township; thence southerly to the south-east corner of Section twenty-two (22), said township; thence westerly to the south-west corner of the south-east quarter of Section

twenty (20), said township; thence northerly to the north-east corner of the north-west quarter of said section; thence westerly to the north-west corner of Section twenty-one (21), Township five (5) North, Range twelve (12) West; thence southerly to the south-west corner of Section twenty-eight (28), said township; thence easterly to the north-east corner of Section thirty-five (35), said township; thence southerly to the south-east corner of said section; thence easterly to the north-east corner of Section six (6), Township four (4) North, Range eleven (11) West; thence southerly to the south-west corner of Section five (5), said township; thence easterly to the north-east corner of Section eight (8), said township; thence southerly to the south-west corner of Section nine (9), said township; thence easterly to the north-east corner of Section fifteen (15), said township; thence southerly to the north-east corner of Section twenty-seven (27), said township; thence westerly to the north-west corner of said section; thence southerly to the south-west corner of said section; thence easterly to the south-east corner of said section; thence southerly to the south-west corner of Section thirty-five (35), said township; thence easterly to the north-east corner of Township three (3) North, Range eleven (11) West; thence southerly to the south-west corner of Section seven (7), Township three (3) North, Range ten (10) West; thence easterly to the north-east corner of Section eighteen (18), said township; thence southerly to the south-west corner of Section seventeen (17), said township; thence easterly to the north-east corner of Section twenty-four (24), said township; thence southerly to the south-west corner of Section nineteen (19), Township three (3) North, Range nine (9) West; thence easterly to the north-east corner of Section thirty (30), said township; thence southerly to the south-west corner of Section twenty-nine (29), said township; thence easterly to the north-east corner of Section thirty-two (32), said township; thence southerly to the south-west corner of Section thirty-three (33), said township; thence easterly to the north-east corner of Section four (4), Township two (2) North, Range nine (9) West; thence southerly to the south-east corner of Section thirty-three (33), said township; thence westerly to the south-west corner of said section; thence northerly to the north-east corner of Section twenty-nine (29), said township; thence westerly to the south-west corner of Section nineteen (19), said township; thence northerly to the north-east corner of Section thirteen (13), Township two (2) North, Range ten (10) West; thence westerly to the south-west corner of Section eleven (11), Township two (2) North, Range eleven (11) West; thence northerly to the north-east corner of Section fifteen (15), Township three (3) North, Range eleven (11) West; thence westerly to the south-west corner of Section seven (7), said township; thence northerly to

the north-east corner of Section thirty-six (36), Township four (4) North, Range twelve (12) West; thence westerly to the north-west corner of Section thirty-one (31), said township; thence southerly to the south-east corner of Township four (4) North, Range thirteen (13) West; thence westerly to the north-west corner of Township three (3) North, Range thirteen (13) West; thence southerly to the south-east corner of Section thirteen (13), Township three (3) North, Range fourteen (14) West; thence westerly to the north-west corner of Section twenty (20), said township; thence southerly to the south-east corner of Section thirty-one (31), said township; thence westerly to the north-west corner of Township two (2) North, Range fourteen (14) West; thence southerly to the south-east corner of Section thirteen (13), Township two (2) North, Range fifteen (15) West; thence westerly to the north-west corner of Section twenty-four (24), Township two (2) North, Range sixteen (16) West; thence southerly to the south-east corner of Section twenty-six (26), said township; thence westerly to the north-west corner of Section thirty-one (31), said township; thence southerly to the south-east corner of Township two (2) North, Range seventeen (17) West; thence westerly to the north-west corner of Section four (4), Township one (1) North, Range seventeen (17) West; thence southerly to the south-east corner of Section five (5), said township; thence westerly to the north-west corner of Section seven (7), said township; thence southerly to the south-east corner of Township one (1) North, Range eighteen (18) West; thence westerly to the north-west corner of Section two (2), Township one (1) South, Range eighteen (18) West; thence southerly to the south-east corner of Section ten (10), said township; thence westerly to the south-west corner of Section seven (7), said township; thence northerly to the north-east corner of Township one (1) South, Range nineteen (19) West; thence westerly to the south-west corner of the south-east quarter of Section thirty-two (32), Township one (1) North, Range nineteen (19) West; thence northerly to the north-east corner of the north-west quarter of Section five (5), said township; thence westerly to the south-west corner of Section thirty-six (36), Township two (2) North, Range twenty (20) West; thence northerly to the north-east corner of Section twenty-six (26), said township; thence westerly to the south-west corner of Section twenty-three (23), said township; thence northerly to the north-east corner of Section fifteen (15), said township; thence westerly to the south-west corner of Section nine (9), said township; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the south-east corner of Section thirty-three (33), Township three (3) North, Range twenty (20) West; thence northerly to the north-east corner of said

section; thence easterly to the south-east corner of Section twenty-six (26), said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of Section twenty-one (21), said township; thence northerly to the north-east corner of Section seventeen (17), said township; thence westerly to the north-west corner of said section; thence northerly, allowing for the offset on the section line between Sections six (6) and seven (7), said township, to the north-west corner of Section seventeen (17), Township four (4) North, Range twenty (20) West; thence easterly to the north-east corner of said Section; thence northerly to the north-west corner of Section nine (9), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section three (3), said township; thence easterly to the south-east corner of Township five (5) North, Range twenty (20) West; thence northerly to the north-west corner of Section thirty-one (31), Township five (5) North, Range nineteen (19) West; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section seventeen (17), said township; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section four (4), said township; thence easterly to the south-east corner of Section thirty-three (33), Township six (6) North, Range nineteen (19) West; thence northerly to the north-west corner of Section twenty-seven (27), Township seven (7) North, Range nineteen (19) West; thence westerly to the south-west corner of Section twenty-two (22), said township; thence northerly to the north-west corner of said section; thence easterly to the south-east corner of Section fifteen (15), said township; thence northerly to the north-west corner of Section two (2), said township; thence easterly to the south-east corner of Township eight (8) North, Range nineteen (19) West; thence northerly, allowing for the offset on the Second (2nd) Standard Parallel North, to the north-west corner of Section eighteen (18), Township nine (9) North, Range eighteen (18) West; thence easterly to the north-east corner of said section; thence northerly to the south-west corner of Section five (5), said township; thence easterly to the south-east corner of said section; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of Section thirty-two (32), Township ten (10) North, Range eighteen (18) West; thence northerly to the north-east corner of Section thirty-one (31), Township eleven (11) North, Range eighteen (18) West; thence westerly to the south-west corner of Section thirty (30), said township; thence northerly to the north-east corner of Section twenty-five (25), Township eleven (11) North, Range nineteen (19) West;

thence westerly to the north-west corner of said section; thence northerly to the south-east corner of Section fourteen (14), said township; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence easterly to the north-east corner of said section; thence northerly to the north-west corner of Section twelve (12), said township; thence easterly to the north-east corner of said section; thence northerly, allowing for the offset on the township line, to the north-west corner of Section thirty (30), Township twelve (12) North, Range eighteen (18) West; thence easterly to the south-east corner of Section nineteen (19), said township; thence northerly to the north-east corner of said section, thence westerly to the north-west corner of said section; thence northerly to the north-west corner of Section eighteen (18), said township; thence easterly to the south-east corner of Section eight (8), said township; thence northerly to the north-east corner of said section; thence westerly to the south-west corner of Section six (6), said township; thence northerly to the north-west corner of said township; thence easterly to the south-east corner of Section thirty-one (31), Township thirteen (13) North, Range eighteen (18) West; thence northerly to the north-west corner of Section thirty-two (32), said township, the place of beginning; such of the above-named corners as have not been established by the official surveys being intended to be located at the points where such corners would fall in projecting the surveys in the directions indicated without allowing for any irregularities which may occur in actually extending the surveys;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

The reservation hereby established shall be known as the Hell Gate Forest Reserve.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 3d day of October,
[SEAL.] in the year of our Lord one thousand nine hundred and five,

and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President :

ELIHU ROOT,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands, in the Territory of New Mexico, which are hereinafter indicated, are in part covered with timber, and it appears that the public good would be promoted by setting apart said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation, for the use and benefit of the people, all the tracts of land, in the Territory of New Mexico, shown as the Jemez Forest Reserve on the diagram forming a part hereof:

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12th day of October,
[SEAL.] in the year of our Lord one thousand nine hundred and five,
and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas by a Joint Resolution, approved April 22, 1898, entitled "Joint Resolution to prohibit the export of coal or other material used in war from any sea-port of the United States", the President is "authorized, in his discretion, and with such limitations and exceptions as shall deem to him expedient, to prohibit the export of coal or other material used in war from any sea-port of the United States until otherwise ordered by the President or by Congress;"

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, for good and sufficient reasons unto me appearing, and by virtue of the authority conferred upon me by the said Joint Resolution, do hereby declare and proclaim that the export of arms, ammunition and munitions of war of every kind, from any port in the United States or in Porto Rico to any port in the Dominican Republic, is prohibited, without limitation or exception, from and after the date of this my proclamation until otherwise ordered by the President or by Congress.

And I do hereby enjoin all good citizens of the United States and of Porto Rico and all persons residing or being within the territory or jurisdiction thereof to be governed accordingly.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of October
[SEAL.] in the year of our Lord one thousand nine hundred and five
and of the Independence of the United States of America
the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

When nearly three centuries ago the first settlers came to the country which has now become this great Republic, they fronted not only hardship and privation, but terrible risk to their lives. In those grim years the custom grew of setting apart one day in each year for a special service of thanksgiving to the Almighty for preserving the people through the changing seasons. The custom has now become national and hallowed by immemorial usage. We live in easier and more plentiful times than our forefathers, the men who with rugged strength faced the rugged days; and yet the dangers to national life are quite as great now as at any previous time in our history. It is eminently fitting that once a year our people should set apart a day for praise and thanksgiving to the Giver of Good, and, at the same time that they express their thankfulness for the abundant mercies received, should manfully acknowledge their shortcomings and pledge themselves solemnly and in good faith to strive to overcome them. During the past year we have been blessed with bountiful crops. Our business prosperity has been great. No other people has ever stood on as high a level of material well-being as ours now stands. We are not threatened by foes from without. The foes from whom we should pray to be delivered are our own passions, appetites, and follies; and against these there is, always need that we should war.

Therefore, I now set apart Thursday, the thirtieth day of this November, as a day of thanksgiving for the past and of prayer for the future, and on that day I ask that throughout the land the people gather in their homes and places of worship, and in rendering thanks unto the Most High for the manifold blessings of the past year, consecrate themselves to a life of cleanliness, honor and wisdom, so that this nation may do its allotted work on the earth in a manner worthy of those who founded it and of those who preserved it.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 2nd day of November
[SEAL.] in the year of our Lord one thousand nine hundred and five
and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, it is provided by section twenty-four of the Act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes", "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands, in the State of California, which are hereinafter indicated, are in part covered with timber, and it appears that the public good would be promoted by setting apart said lands as a public reservation;

Now, therefore, I, THEODORE ROOSEVELT, President of the United States of America, by virtue of the power in me vested by section twenty-four of the aforesaid Act of Congress, do proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation, for the use and benefit of the people, all the tracts of land, in the State of California, shown as the Yuba Forest Reserve on the diagram forming a part hereof;

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] DONE at the City of Washington this 11th day of November, in the year of our Lord one thousand nine hundred and five, and of the Independence of the United States the one hundred and thirtieth.

THEODORE ROOSEVELT.

By the President:

ELIHU ROOT,

Secretary of State.

EXECUTIVE ORDERS.

WHITE HOUSE, *January 4, 1905.*

Mrs. Evelyn M. Ford may be reinstated to the position of clerk in the office of the Secretary of War without regard to the provisions of Rule IX limiting the period of eligibility to one year from the date of separation.

THEODORE ROOSEVELT,

WHITE HOUSE, *January 9, 1905.*

Mrs. Elizabeth C. Peters may be reinstated to the position of sewer in the Government Printing Office without regard to the provision of Rule IX limiting the period of eligibility for reinstatements to one year from the date of separation.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 27, 1905.*

The appointment of Mr. E. W. Libbey as telegraph and telephone operator, at \$1,000 per annum, in the Department of Commerce and Labor, on July 13, 1903, is approved, and he may be continued in the service without examination under the Civil-Service rules.

THEODORE ROOSEVELT.

WHITE HOUSE, *June 29, 1905.*

Mrs. Edna K. Hoyt, who is temporarily employed as clerk in the Department of State, may be permanently appointed, without examination under the civil-service rules, with a salary at the rate of \$1,200 per annum.

(NOTE) Done at the request of Secretary Hay, who says she is now the best clerk of her class that he has.

THEODORE ROOSEVELT.

WHITE HOUSE, *July 25, 1905.*

Mrs. McLanaham, after twelve years' service, was separated from the position of sewer in the Government Printing Office prior to her marriage in 1894. In June, 1903, she was left a widow with three children to support. In view of her unfortunate circumstances and previous efficient service attested by the Public Printer, the Commission recommended to the President a special order waiving the rule requiring reinstatement within one year, which was approved by the President July 25, 1903.

THEODORE ROOSEVELT.

WHITE HOUSE, *August 26, 1905.*

The requirement that a person proposed for transfer must have actually served in the classified service at least six months next preceding the transfer may be waived in the case of the transfer of W. E. Lackland from the Treasury Department to the Post-Office at Prescott, Arizona.

THEODORE ROOSEVELT.

WHITE HOUSE, *August 31, 1905.*

It is ordered that each member of the advisory board of engineers upon plans of the Panama Canal shall be allowed \$5,000, payable upon the completion of the report of the board. In addition thereto he shall, when on duty with the board, be allowed \$15 per day for personal expenses from the date of leaving his home until his return thereto, including Sundays and Holidays. He shall also be allowed the actual cost of transportation incurred by him in travel on duty in connection with the board to include cost of ticket by railway or steamer, sleeper or parlor car accommodations, baggage transportation, cabs and portage.

It is further ordered that the allowance of \$5,000 to Gen. Davis and Gen. Abbott shall be increased by the amount of their retired pay for the time during which they are employed upon the work of the board, it being my intention that these members of the board shall receive the same compensation for this work as the other members, and this increase being made to provide for the usual reduction of retired officers' pay.

THEODORE ROOSEVELT.

WHITE HOUSE, *October 13, 1905.*

No officer or employee of the government shall, directly or indirectly, instruct or be concerned in any manner in the instruction of any person, or classes of persons, with a view to their special preparation for the examination of the United States Civil Service Commission. The fact that any officer or employee is found so engaged shall be considered sufficient cause for his removal from the service.

THEODORE ROOSEVELT.

WHITE HOUSE, *October 17, 1905.*

When the President or head of an executive department is satisfied that an officer or employee in the classified service is inefficient or incapable, and that the public service will be materially improved by his removal, such removal will be made without hearing, but the cause of

removal shall be stated in writing and filed. When misconduct is committed in the view and presence of the President or head of an executive department, removal may be made summarily and without notice.

THEODORE ROOSEVELT.

WHITE HOUSE, *November 17, 1905.*

Civil service rule No. 12 is hereby amended to read as follows, concerning removals:

"1. In making removals or reductions, and in other punishment, penalties like in character shall be imposed for like offenses.

"2. No person shall be removed from a competitive position except for such cause as will promote the efficiency of the service. When the President or head of an executive department is satisfied that an officer or employe in the classified service is inefficient or incapable and that the public service will be materially improved by his removal, such removal may be made without notice to such officer or employe, but the cause of removal shall be stated in writing and filed. When misconduct is committed in the view and presence of the President or head of an executive department, removal may be made summarily, and no statement of reasons need be filed.

"3. Where a recommendation for removal or reduction in grade or compensation of an officer or employe is made to the head of an executive department by a bureau chief or other subordinate officer, the said head of the department may, in his discretion, require that the person sought to be removed be furnished with a statement in writing of the reason for such action, and be allowed a reasonable time for personally answering the same.

"4. The civil service commission shall have no jurisdiction to investigate any removal unless it is alleged that the procedure required by section 2 of rule 12 has not been followed or that the removal was made for political or religious reasons."

THEODORE ROOSEVELT.

WHITE HOUSE, *November 17, 1905.*

When the President or head of an executive department is satisfied that an officer or employe in the classified service is inefficient or incapable, and that the public service will be materially improved by his removal, such removal will be made without hearing; but the cause of removal shall be stated in writing and filed. When misconduct is committed in the view and presence of the President or head of executive department removal may be made summarily and without notice.

THEODORE ROOSEVELT

WHITE HOUSE, November 18, 1905.

Schedule A of the civil service rules is hereby amended by adding to Section II, Treasury Department, a new clause to be numbered 12, to read as follows:

12. One examiner of tobacco and one examiner of tea in the Customs Service at the Port of Chicago.

THEODORE ROOSEVELT.

FIFTH ANNUAL MESSAGE.

WHITE HOUSE, Dec. 5, 1905.

To the Senate and House of Representatives:

The people of this country continue to enjoy great prosperity. Undoubtedly there will be ebb and flow in such prosperity, and this ebb and flow will be felt more or less by all members of the community, both by the deserving and the undeserving. Against the wrath of the Lord the wisdom of man cannot avail; in time of flood or drought human ingenuity can but partially repair the disaster. A general failure of crops would hurt all of us. Again, if the folly of man mars the general well-being, then those who are innocent of the folly will have to pay part of the penalty incurred by those who are guilty of the folly. A panic brought on by the speculative folly of part of the business community would hurt the whole business community. But such stoppage of welfare, though it might be severe, would not be lasting. In the long run the one vital factor in the permanent prosperity of the country is the high individual character of the average American worker, the average American citizen, no matter whether his work be mental or manual, whether he be farmer or wage-worker, business man or professional man.

In our industrial and social system the interests of all men are so closely intertwined that in the immense majority of cases a straight-dealing man who by his efficiency, by his ingenuity and industry, benefits himself must also benefit others. Normally the man of great productive capacity who becomes rich by guiding the labor of many other men does so by enabling them to produce more than they could produce without his guidance; and both he and they share in the benefit, which comes also to the public at large. The superficial fact that the sharing may be unequal must never blind us to the underlying fact that there is this sharing, and that the benefit comes in some degree to each man concerned. Normally the wage-worker, the man of small means, and the average consumer, as well as the average producer, are all alike helped by making conditions such that the man of exceptional

business ability receives an exceptional reward for his ability. Something can be done by legislation to help the general prosperity; but no such help of a permanently beneficial character can be given to the less able and less fortunate, save as the results of a policy which shall inure to the advantage of all industrious and efficient people who act decently; and this is only another way of saying that any benefit which comes to the less able and less fortunate must of necessity come even more to the more able and more fortunate. If, therefore, the less fortunate man is moved by envy of his more fortunate brother to strike at the conditions under which they have both, though unequally, prospered, the result will assuredly be that while danger may come to the one struck at, it will visit with an even heavier load the one who strikes the blow. Taken as a whole we must all go up or down together.

Yet, while not merely admitting, but insisting upon this, it is also true that where there is no governmental restraint or supervision some of the exceptional men use their energies not in ways that are for the common good, but in ways which tell against this common good. The fortunes amassed through corporate organization are now so large, and vest such power in those that wield them, as to make it a matter of necessity to give to the sovereign—that is, to the Government, which represents the people as a whole—some effective power of supervision over their corporate use. In order to insure a healthy social and industrial life, every big corporation should be held responsible by, and be accountable to, some sovereign strong enough to control its conduct. I am in no sense hostile to corporations. This is an age of combination, and any effort to prevent all combination will be not only useless, but in the end vicious, because of the contempt for law which the failure to enforce law inevitably produces. We should, moreover, recognize in cordial and ample fashion the immense good effected by corporate agencies in a country such as ours, and the wealth of intellect, energy, and fidelity devoted to their service, and therefore normally to the service of the public, by their officers and directors. The corporation has come to stay, just as the trade union has come to stay. Each can do and has done great good. Each should be favored so long as it does good. But each should be sharply checked where it acts against law and justice.

So long as the finances of the Nation are kept upon an honest basis no other question of internal economy with which the Congress has the power to deal begins to approach in importance the matter of endeavoring to secure proper industrial conditions under which the individuals—and especially the great corporations—doing an interstate business are to act. The makers of our National Constitution provided especially that the regulation of interstate commerce should come within the sphere of the General Government. The arguments in favor of their

taking this stand were even then overwhelming. But they are far stronger today, in view of the enormous development of great business agencies, usually corporate in form. Experience has shown conclusively that it is useless to try to get any adequate regulation and supervision of these great corporations by State action. Such regulation and supervision can only be effectively exercised by a sovereign whose jurisdiction is coextensive with the field of work of the corporations—that is, by the National Government. I believe that this regulation and supervision can be obtained by the enactment of law by the Congress. If this proves impossible, it will certainly be necessary ultimately to confer in fullest form such power upon the National Government by a proper amendment of the Constitution. It would obviously be unwise to endeavor to secure such an amendment until it is certain that the result cannot be obtained under the Constitution as it now is. The laws of the Congress and of the several States hitherto, as passed upon by the courts, have resulted more often in showing that the States have no power in the matter than that the National Government has power; so that there at present exists a very unfortunate condition of things, under which these great corporations doing an interstate business occupy the position of subjects without a sovereign, neither any State Government nor the National Government having effective control over them. Our steady aim should be by legislation, cautiously and carefully undertaken, but resolutely persevered in, to assert the sovereignty of the National Government by affirmative action.

This is only in form an innovation. In substance it is merely a restoration; for from the earliest time such regulation of industrial activities has been recognized in the action of the lawmaking bodies; and all that I propose is to meet the changed conditions in such manner as will prevent the Commonwealth abdicating the power it has always possessed not only in this country, but also in England before and since this country became a separate Nation.

It has been a misfortune that the National laws on this subject have hitherto been of a negative or prohibitive rather than an affirmative kind, and still more that they have in part sought to prohibit what could not be effectively prohibited, and have in part in their prohibitions confounded what should be allowed and what should not be allowed. It is generally useless to try to prohibit all restraint on competition, whether this restraint be reasonable or unreasonable; and where it is not useless it is generally hurtful. Events have shown that it is not possible adequately to secure the enforcement of any law of this kind by incessant appeal to the courts. The Department of Justice has for the last four years devoted more attention to the enforcement of the anti-trust legislation than to anything else. Much has been accomplished, particularly marked has been the moral effect of the prosecu-

tions; but it is increasingly evident that there will be a very insufficient beneficial result in the way of economic change. The successful prosecution of one device to evade the law immediately develops another device to accomplish the same purpose. What is needed is not sweeping prohibition of every arrangement, good or bad, which may tend to restrict competition, but such adequate supervision and regulation as will prevent any restriction of competition from being to the detriment of the public—as well as such supervision and regulation as will prevent other abuses in no way connected with restriction of competition. Of these abuses, perhaps the chief, although by no means the only one, is overcapitalization—generally itself the result of dishonest promotion—because of the myriad evils it brings in its train; for such overcapitalization often means an inflation that invites business panic; it always conceals the true relation of the profit earned to the capital actually invested, and it creates a burden of interest payments which is a fertile cause of improper reduction in or limitation of wages; it damages the small investor, discourages thrift, and encourages gambling and speculation; while perhaps worst of all is the trickiness and dishonesty which it implies—for harm to morals is worse than any possible harm to material interests, and the debauchery of politics and business by great dishonest corporations is far worse than any actual material evil they do the public. Until the National Government obtains, in some manner which the wisdom of the Congress may suggest, proper control over the big corporations engaged in interstate commerce—that is, over the great majority of the big corporations—it will be impossible to deal adequately with these evils.

I am well aware of the difficulties of the legislation that I am suggesting, and of the need of temperate and cautious action in securing it. I should emphatically protest against improperly radical or hasty action. The first thing to do is to deal with the great corporations engaged in the business of interstate transportation. As I said in my message of December 6 last, the immediate and most pressing need, so far as legislation is concerned, is the enactment into law of some scheme to secure to the agents of the Government such supervision and regulation of the rates charged by the railroads of the country engaged in interstate traffic as shall summarily and effectively prevent the imposition of unjust or unreasonable rates. It must include putting a complete stop to rebates in every shape and form. This power to regulate rates, like all similar powers over the business world, should be exercised with moderation, caution, and self-restraint; but it should exist, so that it can be effectively exercised when the need arises.

The first consideration to be kept in mind is that the power should be affirmative and should be given to some administrative body created by the Congress. If given to the present Interstate Commerce Commis-

sion, or to a reorganized Interstate Commerce Commission, such commission should be made unequivocally administrative. I do not believe in the Government interfering with private business more than is necessary. I do not believe in the Government undertaking any work which can with propriety be left in private hands. But neither do I believe in the Government flinching from overseeing any work when it becomes evident that abuses are sure to obtain therein unless there is governmental supervision. It is not my province to indicate the exact terms of the law which should be enacted; but I call the attention of the Congress to certain existing conditions with which it is desirable to deal. In my judgment the most important provision which such law should contain is that conferring upon some competent administrative body the power to decide, upon the case being brought before it, whether a given rate prescribed by a railroad is reasonable and just, and if it is found to be unreasonable and unjust, then, after full investigation of the complaint, to prescribe the limit of rate beyond which it shall not be lawful to go—the maximum reasonable rate, as it is commonly called—this decision to go into effect within a reasonable time and to obtain from thence onward, subject to review by the courts. It sometimes happens at present not that a rate is too high but that a favored shipper is given too low a rate. In such case the commission would have the right to fix this already established minimum rate as the maximum; and it would need only one or two such decisions by the commission to cure railroad companies of the practice of giving improper minimum rates. I call your attention to the fact that my proposal is not to give the commission power to initiate or originate rates generally, but to regulate a rate already fixed or originated by the roads, upon complaint and after investigation. A heavy penalty should be exacted from any corporation which fails to respect an order of the commission. I regard this power to establish a maximum rate as being essential to any scheme of real reform in the matter of railway regulation. The first necessity is to secure it; and unless it is granted to the commission there is little use in touching the subject at all.

Illegal transactions often occur under the forms of law. It has often occurred that a shipper has been told by a traffic officer to buy a large quantity of some commodity and then after it has been bought an open reduction is made in the rate to take effect immediately, the arrangement resulting to the profit of one shipper and the one railroad and to the damage of all their competitors; for it must not be forgotten that the big shippers are at least as much to blame as any railroad in the matter of rebates. The law should make it clear so that nobody can fail to understand that any kind of commission paid on freight shipments, whether in this form or in the form of fictitious damages, or of a concession, a free pass, reduced passenger rate, or payment of broker-

age, is illegal. It is worth while considering whether it would not be wise to confer on the Government the right of civil action against the beneficiary of a rebate for at least twice the value of the rebate; this would help stop what is really blackmail. Elevator allowances should be stopped, for they have now grown to such an extent that they are demoralizing and are used as rebates.

The best possible regulation of rates would, of course, be that regulation secured by an honest agreement among the railroads themselves to carry out the law. Such a general agreement would, for instance, at once put a stop to the efforts of any one big shipper or big railroad to discriminate against or secure advantages over some rival; and such agreement would make the railroads themselves agents for enforcing the law. The power vested in the Government to put a stop to agreements to the detriment of the public should, in my judgment, be accompanied by power to permit, under specified conditions and careful supervision, agreements clearly in the interest of the public. But, in my judgment, the necessity for giving this further power is by no means as great as the necessity for giving the commission or administrative body the other powers I have enumerated above; and it may well be inadvisable to attempt to vest this particular power in the commission or other administrative body until it already possesses and is exercising what I regard as by far the most important of all the powers I recommend—as indeed the vitally important power—that to fix a given maximum rate, which rate, after the lapse of a reasonable time, goes into full effect, subject to review by the courts.

All private-car lines, industrial roads, refrigerator charges, and the like should be expressly put under the supervision of the Interstate Commerce Commission or some similar body so far as rates, and agreements practically affecting rates, are concerned. The private car owners and the owners of industrial railroads are entitled to a fair and reasonable compensation on their investment, but neither private cars nor industrial railroads nor spur tracks should be utilized as devices for securing preferential rates. A rebate in icing charges, or in mileage, or in a division of the rate for refrigerating charges is just as pernicious as a rebate in any other way. No lower rate should apply on goods imported than actually obtains on domestic goods from the American seaboard to destination except in cases where water competition is the controlling influence. There should be publicity of the accounts of common carriers; no common carrier engaged in interstate business should keep any books or memoranda other than those reported pursuant to law or regulation, and these books or memoranda should be open to the inspection of the Government. Only in this way can violations or evasions of the law be surely detected. A system of examination of railroad accounts should be provided similar to that now conducted

into the National banks by the bank examiners; a few first-class railroad accountants, if they had proper direction and proper authority to inspect books and papers, could accomplish much in preventing willful violations of the law. It would not be necessary for them to examine into the accounts of any railroad unless for good reasons they were directed to do so by the Interstate Commerce Commission. It is greatly to be desired that some way might be found by which an agreement as to transportation within a State intended to operate as a fraud upon the Federal interstate commerce laws could be brought under the jurisdiction of the Federal authorities. At present it occurs that large shipments of interstate traffic are controlled by concessions on purely State business, which of course amounts to an evasion of the law. The commission should have power to enforce fair treatment by the great trunk lines of lateral and branch lines.

I urge upon the Congress the need of providing for expeditious action by the Interstate Commerce Commission in all these matters, whether in regulating rates for transportation or for storing or for handling property or commodities in transit. The history of the cases litigated under the present commerce act shows that its efficacy has been to a great degree destroyed by the weapon of delay, almost the most formidable weapon in the hands of those whose purpose it is to violate the law.

Let me most earnestly say that these recommendations are not made in any spirit of hostility to the railroads. On ethical grounds, on grounds of right, such hostility would be intolerable; and on grounds of mere National self-interest we must remember that such hostility would tell against the welfare not merely of some few rich men, but of a multitude of small investors, a multitude of railway employes, wage workers, and most severely against the interest of the public as a whole. I believe that on the whole our railroads have done well and not ill; but the railroad men who wish to do well should not be exposed to competition with those who have no such desire, and the only way to secure this end is to give to some Government tribunal the power to see that justice is done by the unwilling exactly as it is gladly done by the willing. Moreover, if some Government body is given increased power the effect will be to furnish authoritative answer on behalf of the railroad whenever irrational clamor against it is raised, or whenever charges made against it are disproved. I ask this legislation not only in the interest of the public but in the interest of the honest railroad man and the honest shipper alike, for it is they who are chiefly jeopardized by the practices of their dishonest competitors. This legislation should be enacted in a spirit as remote as possible from hysteria and rancor. If we of the American body politic are true to the traditions we have inherited we shall always scorn any effort to

make us hate any man because he is rich, just as much as we should scorn any effort to make us look down upon or treat contemptuously any man because he is poor. We judge a man by his conduct—that is, by his character—and not by his wealth or intellect. If he makes his fortune honestly, there is no just cause of quarrel with him. Indeed, we have nothing but the kindest feelings of admiration for the successful business man who behaves decently, whether he has made his success by building or managing a railroad or by shipping goods over that railroad. The big railroad men and big shippers are simply Americans of the ordinary type who have developed to an extraordinary degree certain great business qualities. They are neither better nor worse than their fellow-citizens of smaller means. They are merely more able in certain lines and therefore exposed to certain peculiarly strong temptations. These temptations have not sprung newly into being; the exceptionally successful among mankind have always been exposed to them; but they have grown amazingly in power as a result of the extraordinary development of industrialism along new lines, and under these new conditions, which the law-makers of old could not foresee and therefore could not provide against, they have become so serious and menacing as to demand entirely new remedies. It is in the interest of the best type of railroad man and the best type of shipper no less than of the public that there should be Governmental supervision and regulation of these great business operations, for the same reason that it is in the interest of the corporation which wishes to treat its employes aright that there should be an effective Employers' Liability act, or an effective system of factory laws to prevent the abuse of women and children. All such legislation frees the corporation that wishes to do well from being driven into doing ill, in order to compete with its rival, which prefers to do ill. We desire to set up a moral standard. There can be no delusion more fatal to the Nation than the delusion that the standard of profits, of business prosperity, is sufficient in judging any business or political question—from rate legislation to municipal government. Business success, whether for the individual or for the Nation, is a good thing only so far as it is accompanied by and develops a high standard of conduct—honor, integrity, civic courage. The kind of business prosperity that blunts the standard of honor, that puts an inordinate value on mere wealth, that makes a man ruthless and conscienceless in trade, and weak and cowardly in citizenship, is not a good thing at all, but a very bad thing for the Nation. This Government stands for manhood first and for business only as an adjunct of manhood.

The question of transportation lies at the root of all industrial success, and the revolution in transportation which has taken place during the last half century has been the most important factor in the growth

of the new industrial conditions. Most emphatically we do not wish to see the man of great talents refused the reward for his talents. Still less do we wish to see him penalized; but we do desire to see the system of railroad transportation so handled that the strong man shall be given no advantage over the weak man. We wish to insure as fair treatment for the small town as for the big city; for the small shipper as for the big shipper. In the old days the highway of commerce, whether by water or by a road on land, was open to all; it belonged to the public and the traffic along it was free. At present the railway is this highway, and we must do our best to see that it is kept open to all on equal terms. Unlike the old highway it is a very difficult and complex thing to manage, and it is far better that it should be managed by private individuals than by the Government. But it can only be so managed on condition that justice is done the public. It is because, in my judgment, public ownership of railroads is highly undesirable and would probably in this country entail far-reaching disaster, but I wish to see such supervision and regulation of them in the interest of the public as will make it evident that there is no need for public ownership. The opponents of Government regulation dwell upon the difficulties to be encountered and the intricate and involved nature of the problem. Their contention is true. It is a complicated and delicate problem, and all kinds of difficulties are sure to arise in connection with any plan of solution, while no plan will bring all the benefits hoped for by its more optimistic adherents. Moreover, under any healthy plan, the benefits will develop gradually and not rapidly. Finally, we must clearly understand that the public servants who are to do this peculiarly responsible and delicate work must themselves be of the highest type both as regards integrity and efficiency. They must be well paid, for otherwise able men cannot in the long run be secured; and they must possess a lofty probity which will revolt as quickly at the thought of pandering to any gust of popular prejudice against rich men as at the thought of anything even remotely resembling subserviency to rich men. But while I fully admit the difficulties in the way, I do not for a moment admit that these difficulties warrant us in stopping in our effort to secure a wise and just system. They should have no other effect than to spur us on to the exercise of the resolution, the even-handed justice, and the fertility of resource, which we like to think of as typically American, and which will in the end achieve good results in this as in other fields of activity. The task is a great one and underlies the task of dealing with the whole industrial problem. But the fact that it is a great problem does not warrant us in shrinking from the attempt to solve it. At present we face such utter lack of supervision, such freedom from the restraints of law, that excellent men have often been literally forced into doing what they deplored because other-

wise they were left at the mercy of unscrupulous competitors. To rail at and assail the men who have done as they best could under such conditions accomplishes little. What we need to do is to develop an orderly system, and such a system can only come through the gradually increased exercise of the right of efficient Government control.

In my annual message to the Fifty-eighth Congress, at its third session, I called attention to the necessity for legislation requiring the use of block signals upon railroads engaged in interstate commerce. The number of serious collisions upon unblocked roads that have occurred within the past year adds force to the recommendation then made. The Congress should provide, by appropriate legislation, for the introduction of block signals upon all railroads engaged in interstate commerce at the earliest practicable date, as a measure of increased safety to the traveling public.

Through decisions of the Supreme Court of the United States and the lower Federal courts in cases brought before them for adjudication the safety appliance law has been materially strengthened, and the Government has been enabled to secure its effective enforcement in almost all cases, with the result that the condition of railroad equipment throughout the country is much improved and railroad employes perform their duties under safer conditions than heretofore. The Government's most effective aid in arriving at this result has been its inspection service, and that these improved conditions are not more general is due to the insufficient number of inspectors employed. The inspection service has fully demonstrated its usefulness, and in appropriating for its maintenance the Congress should make provision for an increase in the number of inspectors.

The excessive hours of labor to which railroad employes in train service are in many cases subjected is also a matter which may well engage the serious attention of the Congress. The strain, both mental and physical, upon those who are engaged in the movement and operation of railroad trains under modern conditions is perhaps greater than that which exists in any other industry, and if there are any reasons for limiting by law the hours of labor in any employment, they certainly apply with peculiar force to the employment of those upon whose vigilance and alertness in the performance of their duties the safety of all who travel by rail depends.

In my annual message to the Fifty-seventh Congress, at its second session, I recommended the passage of an employers' liability law for the District of Columbia and in our navy yards. I renewed that recommendation in my message to the Fifty-eighth Congress, at its second session, and further suggested the appointment of a commission to make a comprehensive study of employers' liability, with a view to the enactment of a wise and Constitutional law covering the subject,

applicable to all industries within the scope of the Federal power. I hope that such a law will be prepared and enacted as speedily as possible.

The National Government has, as a rule, but little occasion to deal with the formidable group of problems connected more or less directly with what is known as the labor question, for in the great majority of cases these problems must be dealt with by the State and municipal authorities, and not by the National Government. The National Government has control of the District of Columbia, however, and it should see to it that the City of Washington is made a model city in all respects, both as regards parks, public playgrounds, proper regulation of the system of housing, so as to do away with the evils of alley tenements, a proper system of education, a proper system of dealing with truancy and juvenile offenders, a proper handling of the charitable work of the District. Moreover, there should be proper factory laws to prevent all abuses in the employment of women and children in the District. These will be useful chiefly as object lessons, but even this limited amount of usefulness would be of real National value.

There has been demand for depriving courts of the power to issue injunctions in labor disputes. Such special limitation of the equity powers of our courts would be most unwise. It is true that some judges have misused this power; but this does not justify a denial of the power any more than an improper exercise of the power to call a strike by a labor leader would justify the denial of the right to strike. The remedy is to regulate the procedure by requiring the judge to give due notice to the adverse parties before granting the writ, the hearing to be *ex parte* if the adverse party does not appear at the time and place ordered. What is due notice must depend upon the facts of the case; it should not be used as a pretext to permit violation of law or the jeopardizing of life or property. Of course, this would not authorize the issuing of a restraining order or injunction in any case in which it is not already authorized by existing law.

I renew the recommendation I made in my last annual message for an investigation by the Department of Commerce and Labor of general labor conditions, especial attention to be paid to the conditions of child labor and child-labor legislation in the several States. Such an investigation should take into account the various problems with which the question of child labor is connected. It is true that these problems can be actually met in most cases only by the States themselves, but it would be well for the Nation to endeavor to secure and publish comprehensive information as to the conditions of the labor of children in the different States, so as to spur up those that are behindhand and to secure approximately uniform legislation of a high character among the several States. In such a Republic as ours the one thing that we

cannot afford to neglect is the problem of turning out decent citizens. The future of the Nation depends upon the citizenship of the generations to come; the children of today are those who tomorrow will shape the destiny of our land, and we cannot afford to neglect them. The Legislature of Colorado has recommended that the National Government provide some general measure for the protection from abuse of children and dumb animals throughout the United States. I lay the matter before you for what I trust will be your favorable consideration.

The Department of Commerce and Labor should also make a thorough investigation of the conditions of women in industry. Over five million American women are now engaged in gainful occupations; yet there is an almost complete dearth of data upon which to base any trustworthy conclusions as regards a subject as important as it is vast and complicated. There is need of full knowledge on which to base action looking toward State and municipal legislation for the protection of working women. The introduction of women into industry is working change and disturbance in the domestic and social life of the Nation. The decrease in marriage, and especially in the birth rate, has been coincident with it. We must face accomplished facts, and the adjustment of factory conditions must be made, but surely it can be made with less friction and less harmful effects on family life than is now the case. This whole matter in reality forms one of the greatest sociological phenomena of our time; it is a social question of the first importance, of far greater importance than any merely political or economic question can be, and to solve it we need ample data, gathered in a sane and scientific spirit in the course of an exhaustive investigation.

In any great labor disturbance not only are employer and employee interested, but a third party—the general public. Every considerable labor difficulty in which interstate commerce is involved should be investigated by the Government and the facts officially reported to the public.

The question of securing a healthy, self-respecting, and mutually sympathetic attitude as between employer and employee, capitalist and wage-worker, is a difficult one. All phases of the labor problem prove difficult when approached. But the underlying principles, the root principles, in accordance with which the problem must be solved are entirely simple. We can get justice and right dealing only if we put as of paramount importance the principle of treating a man on his worth as a man rather than with reference to his social position, his occupation or the class to which he belongs. There are selfish and brutal men in all ranks of life. If they are capitalists their selfishness and brutality may take the form of hard indifference to suffering, greedy disregard of every moral restraint which interferes with the accumu-

lation of wealth, and cold-blooded exploitation of the weak; or, if they are laborers, the form of laziness, of sullen envy of the more fortunate, and of willingness to perform deeds of murderous violence. Such conduct is just as reprehensible in one case as in the other, and all honest and farseeing men should join in warring against it wherever it becomes manifest. Individual capitalist and individual wage-worker, corporation and union, are alike entitled to the protection of the law, and must alike obey the law. Moreover, in addition to mere obedience to the law, each man, if he be really a good citizen, must show broad sympathy for his neighbor and genuine desire to look at any question arising between them from the standpoint of that neighbor no less than from his own, and to this end it is essential that capitalist and wage-worker should consult freely one with the other, should each strive to bring closer the day when both shall realize that they are properly partners and not enemies. To approach the questions which inevitably arise between them solely from the standpoint which treats each side in the mass as the enemy of the other side in the mass is both wicked and foolish. In the past the most direful among the influences which have brought about the downfall of republics has ever been the growth of the class spirit, the growth of the spirit which tends to make a man subordinate the welfare of the public as a whole to the welfare of the particular class to which he belongs, the substitution of loyalty to a class for loyalty to the Nation. This inevitably brings about a tendency to treat each man not on his merits as an individual, but on his position as belonging to a certain class in the community. If such a spirit grows up in this Republic it will ultimately prove fatal to us, as in the past it has proved fatal to every community in which it has become dominant. Unless we continue to keep a quick and lively sense of the great fundamental truth that our concern is with the individual worth of the individual man, this Government cannot permanently hold the place which it has achieved among the nations. The vital lines of cleavage among our people do not correspond, and indeed run at right angles to, the lines of cleavage which divide occupation from occupation, which divide wage-workers from capitalists, farmers from bankers, men of small means from men of large means, men who live in the towns from men who live in the country; for the vital line of cleavage is the line which divides the honest man who tries to do well by his neighbor from the dishonest man who does ill by his neighbor. In other words, the standard we should establish is the standard of conduct, not the standard of occupation, of means, or of social position. It is the man's moral quality, his attitude toward the great questions which concern all humanity, his cleanliness of life, his power to do his duty toward himself and toward others, which really count; and if we substitute for the standard of personal judgment which

treats each man according to his merits, another standard in accordance with which all men of one class are favored and all men of another class discriminated against, we shall do irreparable damage to the body politic. I believe that our people are too sane, too self-respecting, too fit for self-government, ever to adopt such an attitude. This Government is not and never shall be government by a plutocracy. This Government is not and never shall be government by a mob. It shall continue to be in the future what it has been in the past, a Government based on the theory that each man, rich or poor, is to be treated simply and solely on his worth as a man, that all his personal and property rights are to be safeguarded, and that he is neither to wrong others nor to suffer wrong from others.

The noblest of all forms of government is self-government; but it is also the most difficult. We who possess this priceless boon, and who desire to hand it on to our children and our children's children, should ever bear in mind the thought so finely expressed by Burke: "Men are qualified for civil liberty in exact proportion to their disposition to put moral chains upon their own appetites; in proportion as they are disposed to listen to the counsels of the wise and good in preference to the flattery of knaves. Society cannot exist unless a controlling power upon will and appetite be placed somewhere, and the less of it there be within the more there must be without. It is ordained in the eternal constitution of things that men of intemperate minds cannot be free. Their passions forge their fetters."

The great insurance companies afford striking examples of corporations whose business has extended so far beyond the jurisdiction of the States which created them as to preclude strict enforcement of supervision and regulation by the parent States. In my last annual message I recommended "that the Congress carefully consider whether the power of the Bureau of Corporations cannot constitutionally be extended to cover interstate transactions in insurance."

Recent events have emphasized the importance of an early and exhaustive consideration of this question, to see whether it is not possible to furnish better safeguards than the several States have been able to furnish against corruption of the flagrant kind which has been exposed. It has been only too clearly shown that certain of the men at the head of these large corporations take but small note of the ethical distinction between honesty and dishonesty; they draw the line only this side of what may be called law-honesty, the kind of honesty necessary in order to avoid falling into the clutches of the law. Of course the only complete remedy for this condition must be found in an aroused public conscience, a higher sense of ethical conduct in the community at large, and especially among business men and in the great profession of the law, and in the growth of a spirit

which condemns all dishonesty, whether in rich man or in poor man, whether it takes the shape of bribery or of blackmail. But much can be done by legislation which is not only drastic but practical. There is need of a far stricter and more uniform regulation of the vast insurance interests of this country. The United States should in this respect follow the policy of other nations by providing adequate national supervision of commercial interests which are clearly national in character. My predecessors have repeatedly recognized that the foreign business of these companies is an important part of our foreign commercial relations. During the administrations of Presidents Cleveland, Harrison, and McKinley the State Department exercised its influence, through diplomatic channels, to prevent unjust discrimination by foreign countries against American insurance companies. These negotiations illustrated the propriety of the Congress recognizing the National character of insurance, for in the absence of Federal legislation the State Department could only give expression to the wishes of the authorities of the several States, whose policy was ineffective through want of uniformity.

I repeat my previous recommendation that the Congress should also consider whether the Federal Government has any power or owes any duty with respect to domestic transactions in insurance of an interstate character. That State supervision has proved inadequate is generally conceded. The burden upon insurance companies, and therefore their policy holders, of conflicting regulations of many States, is unquestioned, while but little effective check is imposed upon any able and unscrupulous man who desires to exploit the company in his own interest at the expense of the policy holders and of the public. The inability of a State to regulate effectively insurance corporations created under the laws of other States and transacting the larger part of their business elsewhere is also clear. As a remedy for this evil of conflicting, ineffective, and yet burdensome regulations there has been for many years a widespread demand for Federal supervision. The Congress has already recognized that interstate insurance may be a proper subject for Federal legislation, for in creating the Bureau of Corporations it authorized it to publish and supply useful information concerning interstate corporations, "including corporations engaged in insurance." It is obvious that if the compilation of statistics be the limit of the Federal power it is wholly ineffective to regulate this form of commercial intercourse between the States, and as the insurance business has outgrown in magnitude the possibility of adequate State supervision, the Congress should carefully consider whether further legislation can be had. What is said above applies with equal force to fraternal and benevolent organizations which contract for life insurance.

There is more need of stability than of the attempt to attain an ideal perfection in the methods of raising revenue; and the shock and strain to the business world certain to attend any serious change in these methods render such change inadvisable unless for grave reason. It is not possible to lay down any general rule by which to determine the moment when the reasons for will outweigh the reasons against such a change. Much must depend, not merely on the needs, but on the desires, of the people as a whole; for needs and desires are not necessarily identical. Of course, no change can be made on lines beneficial to, or desired by, one section or one State only. There must be something like a general agreement among the citizens of the several States, as represented in the Congress, that the change is needed and desired in the interest of the people, as a whole; and there should then be a sincere, intelligent, and disinterested effort to make it in such shape as will combine, so far as possible, the maximum of good to the people at large with the minimum of necessary disregard for the special interests of localities or classes. But in time of peace the revenue must on the average, taking a series of years together, equal the expenditures or else the revenues must be increased. Last year there was a deficit. Unless our expenditures can be kept within the revenues then our revenue laws must be readjusted. It is as yet too early to attempt to outline what shape such a readjustment should take, for it is as yet too early to say whether there will be need for it. It should be considered whether it is not desirable that the tariff laws should provide for applying as against or in favor of any other nation maximum and minimum tariff rates established by the Congress, so as to secure a certain reciprocity of treatment between other nations and ourselves. Having in view even larger considerations of policy than those of a purely economic nature, it would, in my judgment, be well to endeavor to bring about closer commercial connections with the other peoples of this continent. I am happy to be able to announce to you that Russia now treats us on the most-favored-nation basis.

I earnestly recommend to Congress the need of economy and to this end of a rigid scrutiny of appropriations. As examples merely, I call your attention to one or two specific matters. All unnecessary offices should be abolished. The Commissioner of the General Land Office recommends the abolishment of the office of Receiver of Public Moneys for the United States Land Office. This will effect a saving of about a quarter of a million dollars a year. As the business of the Nation grows, it is inevitable that there should be from time to time a legitimate increase in the number of officials, and this fact renders it all the more important that when offices become unnecessary they should be abolished. In the public printing also a large saving of public money can be made. **There is a constantly growing tendency to**

publish masses of unimportant information. It is probably not unfair to say that many tens of thousands of volumes are published at which no human being ever looks and for which there is no real demand whatever.

Yet, in speaking of economy, I must in no wise be understood as advocating the false economy which is in the end the worst extravagance. To cut down on the navy, for instance, would be a crime against the Nation. To fail to push forward all work on the Panama Canal would be as great a folly.

In my message of December 2, 1902, to the Congress I said:

"Interest rates are a potent factor in business activity, and in order that these rates may be equalized to meet the varying needs of the seasons and of widely separated communities, and to prevent the recurrence of financial stringencies, which injuriously affect legitimate business, it is necessary that there should be an element of elasticity in our monetary system. Banks are the natural servants of commerce, and, upon them should be placed, as far as practicable, the burden of furnishing and maintaining a circulation adequate to supply the needs of our diversified industries and of our domestic and foreign commerce; and the issue of this should be so regulated that a sufficient supply should be always available for the business interests of the country."

Every consideration of prudence demands the addition of the element of elasticity to our currency system. The evil does not consist in an inadequate volume of money, but in the rigidity of this volume, which does not respond as it should to the varying needs of communities and of seasons. Inflation must be avoided; but some provision should be made that will insure a larger volume of money during the Fall and Winter months than in the less active seasons of the year; so that the currency will contract against speculation, and will expand for the needs of legitimate business. At present the Treasury Department is at irregularly recurring intervals obliged, in the interest of the business world—that is, in the interests of the American public—to try to avert financial crises by providing a remedy which should be provided by Congressional action.

At various times I have instituted investigations into the organization and conduct of the business of the executive departments. While none of these inquiries have yet progressed far enough to warrant final conclusions, they have already confirmed and emphasized the general impression that the organization of the departments is often faulty in principle and wasteful in results, while many of their business methods are antiquated and inefficient. There is every reason why our executive governmental machinery should be at least as well planned, economical, and efficient as the best machinery of the great business organizations, which at present is not the case. To make it so is a task of

complex detail and essentially executive in its nature; probably no legislative body, no matter how wise and able, could undertake it with reasonable prospect of success. I recommend that the Congress consider this subject with a view to provide by legislation for the transfer, distribution, consolidation, and assignment of duties and executive organizations or parts of organizations, and for the changes in business methods, within or between the several departments, that will best promote the economy, efficiency, and high character of the Government work.

In my last annual message I said:

"The power of the Government to protect the integrity of the elections of its own officials is inherent and has been recognized and affirmed by repeated declarations of the Supreme Court. There is no enemy of free government more dangerous and none so insidious as the corruption of the electorate. No one defends or excuses corruption, and it would seem to follow that none would oppose vigorous measures to eradicate it. I recommend the enactment of a law directed against bribery and corruption in Federal elections. The details of such a law may be safely left to the wise discretion of the Congress, but it should go as far as under the Constitution it is possible to go, and should include severe penalties against him who gives or receives a bribe intended to influence his act or opinion as an elector; and provisions for the publication not only of the expenditures for nominations and elections of all candidates, but also of all contributions received and expenditures made by political committees."

I desire to repeat this recommendation. In political campaigns in a country as large and populous as ours it is inevitable that there should be much expense of an entirely legitimate kind. This, of course, means that many contributions, and some of them of large size, must be made, and, as a matter of fact, in any big political contest such contributions are always made to both sides. It is entirely proper both to give and receive them, unless there is an improper motive connected with either gift or reception. If they are extorted by any kind of pressure or promise, express or implied, direct or indirect, in the way of favor or immunity, then the giving or receiving becomes not only improper but criminal. It will undoubtedly be difficult, as a matter of practical detail, to shape an act which shall guard with reasonable certainty against such misconduct; but if it is possible to secure by law the full and verified publication in detail of all the sums contributed to and expended by the candidates or committees of any political parties, the result cannot but be wholesome. All contributions by corporations to any political committee or for any political purpose should be forbidden by law; directors should not be permitted to use stockholders' money for such purposes; and, moreover, a prohibition of this kind

would be, as far as it went, an effective method of stopping the evils aimed at in corrupt practices acts. Not only should both the National and the several State Legislatures forbid any officer of a corporation from using the money of the corporation in or about any election, but they should also forbid such use of money in connection with any legislation save by the employment of counsel in public manner for distinctly legal services.

The first conference of nations held at The Hague in 1899, being unable to dispose of all the business before it, recommended the consideration and settlement of a number of important questions by another conference to be called subsequently and at an early date. These questions were the following: (1) The rights and duties of neutrals; (2) the limitation of the armed forces on land and sea, and of military budgets; (3) the use of new types and calibres of military and naval guns; (4) the inviolability of private property at sea in times of war; (5) the bombardment of ports, cities, and villages by naval forces. In October, 1904, at the instance of the Interparliamentary Union, which, at a conference held in the United States, and attended by the lawmakers of fifteen different nations, had reiterated the demand for a second conference of nations, I issued invitations to all the powers signatory to The Hague Convention to send delegates to such a conference, and suggested that it be again held at The Hague. In its note of December 16, 1904, the United States Government communicated to the representatives of foreign governments its belief that the conference could be best arranged under the provisions of the present Hague treaty.

From all the powers acceptance was received, coupled in some cases with the condition that we should wait until the end of the war then waging between Russia and Japan. The Emperor of Russia, immediately after the treaty of peace which so happily terminated this war, in a note presented to the President on September 13, through Ambassador Rosen, took the initiative in recommending that the conference be now called. The United States Government in response expressed its cordial acquiescence, and stated that it would, as a matter of course, take part in the new conference and endeavor to further its aims. We assume that all civilized governments will support the movement, and that the conference is now an assured fact. This Government will do everything in its power to secure the success of the conference, to the end that substantial progress may be made in the cause of international peace, justice, and good will.

This renders it proper at this time to say something as to the general attitude of this Government toward peace. More and more war is coming to be looked upon as in itself a lamentable and evil thing. A wanton or useless war, or a war of mere aggression—in short, any

war begun or carried on in a conscienceless spirit, is to be condemned as a peculiarly atrocious crime against all humanity. We can, however, do nothing of permanent value for peace unless we keep ever clearly in mind the ethical element which lies at the root of the problem. Our aim is righteousness. Peace is normally the hand-maiden of righteousness; but when peace and righteousness conflict then a great and upright people can never for a moment hesitate to follow the path which leads toward righteousness, even though that path also leads to war. There are persons who advocate peace at any price; there are others who, following a false analogy, think that because it is no longer necessary in civilized countries for individuals to protect their rights with a strong hand, it is therefore unnecessary for nations to be ready to defend their rights. These persons would do irreparable harm to any nation that adopted their principles, and even as it is they seriously hamper the cause which they advocate by tending to render it absurd in the eyes of sensible and patriotic men. There can be no worse foe of mankind in general, and of his own country in particular, than the demagogue of war, the man who in mere folly or to serve his own selfish ends continually rails at and abuses other nations, who seeks to excite his countrymen against foreigners on insufficient pretexts, who excites and inflames a perverse and aggressive national vanity, and who may on occasions wantonly bring on conflict between his nation and some other nation. But there are demagogues of peace just as there are demagogues of war, and in any such movement as this for The Hague conference it is essential not to be misled by one set of extremists any more than by the other. Whenever it is possible for a nation or an individual to work for real peace, assuredly it is failure of duty not so to strive, but if war is necessary and righteous then either the man or the nation shrinking from it forfeits all title to self-respect. We have scant sympathy with the sentimentalist who dreads oppression less than physical suffering, who would prefer a shameful peace to the pain and toil sometimes lamentably necessary in order to secure a righteous peace. As yet there is only a partial and imperfect analogy between international law and internal or municipal law, because there is no sanction of force for executing the former while there is in the case of the latter. The private citizen is protected in his rights by the law, because the law rests in the last resort upon force exercised through the forms of law. A man does not have to defend his rights with his own hand, because he can call upon the police, upon the sheriff's posse, upon the militia, or in certain extreme cases upon the army, to defend him. But there is no such sanction of force for international law. At present there could be no greater calamity than for the free peoples, the enlightened, independent, and peace-loving peoples, to disarm while yet leaving it open to any bar-

barism or despotism to remain armed. So long as the world is as unorganized as now the armies and navies of those peoples who on the whole stand for justice, offer not only the best, but the only possible, security for a just peace. For instance, if the United States alone, or in company only with the other nations that on the whole tend to act justly, disarmed, we might sometimes avoid bloodshed, but we would cease to be of weight in securing the peace of justice—the real peace for which the most law-abiding and high-minded men must at times be willing to fight. As the world is now, only that nation is equipped for peace that knows how to fight, and that will not shrink from fighting if ever the conditions become such that war is demanded in the name of the highest morality.

So much it is emphatically necessary to say in order both that the position of the United States may not be misunderstood, and that a genuine effort to bring nearer the day of the peace of justice among the nations may not be hampered by a folly which, in striving to achieve the impossible, would render it hopeless to attempt the achievement of the practical. But, while recognizing most clearly all above set forth, it remains our clear duty to strive in every practicable way to bring nearer the time when the sword shall not be the arbiter among nations. At present the practical thing to do is to try to minimize the number of cases in which it must be the arbiter, and to offer, at least to all civilized powers, some substitute for war which will be available in at least a considerable number of instances. Very much can be done through another Hague conference in this direction, and I most earnestly urge that this Nation do all in its power to try to further the movement and to make the result of the decisions of The Hague conference effective. I earnestly hope that the conference may be able to devise some way to make arbitration between nations the customary way of settling international disputes in all save a few classes of cases, which should themselves be as sharply defined and rigidly limited as the present governmental and social development of the world will permit. If possible, there should be a general arbitration treaty negotiated among all the nations represented at the conference. Neutral rights and property should be protected at sea as they are protected on land. There should be an international agreement to this purpose and a similar agreement defining contraband of war.

During the last century there has been a distinct diminution in the number of wars between the most civilized nations. International relations have become closer and the development of The Hague tribunal is not only a symptom of this growing closeness of relationship, but is a means by which the growth can be furthered. Our aim should be from time to time to take such steps as may be possible toward creating something like an organization of the civilized nations, because as

the world becomes more highly organized the need for navies and armies will diminish. It is not possible to secure anything like an immediate disarmament, because it would first be necessary to settle what peoples are on the whole a menace to the rest of mankind, and to provide against the disarmament of the rest being turned into a movement which would really chiefly benefit these obnoxious peoples; but it may be possible to exercise some check upon the tendency to swell indefinitely the budgets for military expenditure. Of course such an effort could succeed only if it did not attempt to do too much; and if it were undertaken in a spirit of sanity as far removed as possible from a merely hysterical pseudo-philanthropy. It is worth while pointing out that since the end of the insurrection in the Philippines this Nation has shown its practical faith in the policy of disarmament by reducing its little army one-third. But disarmament can never be of prime importance; there is more need to get rid of the causes of war than of the implements of war.

I have dwelt much on the dangers to be avoided by steering clear of any mere foolish sentimentality because my wish for peace is so genuine and earnest; because I have a real and great desire that this second Hague conference may mark a long stride forward in the direction of securing the peace of justice throughout the world. No object is better worthy the attention of enlightened statesmanship than the establishment of a surer method than now exists of securing justice as between nations, both for the protection of the little nations and for the prevention of war between the big nations. To this aim we should endeavor not only to avert bloodshed, but, above all, effectively to strengthen the forces of right. The Golden Rule should be, and as the world grows in morality it will be, the guiding rule of conduct among nations as among individuals; though the Golden Rule must not be construed, in fantastic manner, as forbidding the exercise of the police power. This mighty and free Republic should ever deal with all other States, great or small, on a basis of high honor, respecting their rights as jealously as it safeguards its own.

One of the most effective instruments for peace is the Monroe Doctrine as it has been and is being gradually developed by this Nation and accepted by other nations. No other policy could have been as efficient in promoting peace in the Western Hemisphere and in giving to each nation thereon the chance to develop along its own lines. If we had refused to apply the doctrine to changing conditions it would now be completely outworn, would not meet any of the needs of the present day, and, indeed, would probably by this time have sunk into complete oblivion. It is useful at home, and is meeting with recognition abroad because we have adapted our application of it to meet the growing and changing needs of the hemisphere. When we an-

nounce a policy such as the Monroe Doctrine we thereby commit ourselves to the consequences of the policy, and those consequences from time to time alter. It is out of the question to claim a right and yet shirk the responsibility for its exercise. Not only we, but all American republics who are benefited by the existence of the doctrine, must recognize the obligations each nation is under as regards foreign peoples no less than its duty to insist upon its own rights.

That our rights and interests are deeply concerned in the maintenance of the doctrine is so clear as hardly to need argument. This is especially true in view of the construction of the Panama Canal. As a mere matter of self-defense we must exercise a close watch over the approaches to this canal; and this means that we must be thoroughly alive to our interests in the Caribbean Sea.

There are certain essential points which must never be forgotten as regards the Monroe Doctrine. In the first place we must as a Nation make it evident that we do not intend to treat it in any shape or way as an excuse for aggrandizement on our part at the expense of the republics to the south. We must recognize the fact that in some South American countries there has been much suspicion lest we should interpret the Monroe Doctrine as in some way inimical to their interests, and we must try to convince all the other nations of this continent once and for all that no just and orderly Government has anything to fear from us. There are certain republics to the south of us which have already reached such a point of stability, order, and prosperity that they themselves, though as yet hardly consciously, are among the guarantors of this doctrine. These republics we now meet not only on a basis of entire equality, but in a spirit of frank and respectful friendship, which we hope is mutual. If all of the republics to the south of us will only grow as those to which I allude have already grown, all need for us to be the especial champions of the doctrine will disappear, for no stable and growing American Republic wishes to see some great non-American military power acquire territory in its neighborhood. All that this country desires is that the other republics on this continent shall be happy and prosperous; and they cannot be happy and prosperous unless they maintain order within their boundaries and behave with a just regard for their obligations toward outsiders. It must be understood that under no circumstances will the United States use the Monroe Doctrine as a cloak for territorial aggression. We desire peace with all the world, but perhaps most of all with the other peoples of the American Continent. There are, of course, limits to the wrongs which any self-respecting nation can endure. It is always possible that wrong actions toward this Nation, or toward citizens of this Nation, in some State unable to keep order among its own people, unable to secure justice from outsiders,

and unwilling to do justice to those outsiders who treat it well, may result in our having to take action to protect our rights; but such action will not be taken with a view to territorial aggression, and it will be taken at all only with extreme reluctance and when it has become evident that every other resource has been exhausted.

Moreover, we must make it evident that we do not intend to permit the Monroe Doctrine to be used by any nation on this Continent as a shield to protect it from the consequences of its own misdeeds against foreign nations. If a republic to the south of us commits a tort against a foreign nation, such as an outrage against a citizen of that nation, then the Monroe Doctrine does not force us to interfere to prevent punishment of the tort, save to see that the punishment does not assume the form of territorial occupation in any shape. The case is more difficult when it refers to a contractual obligation. Our own Government has always refused to enforce such contractual obligations on behalf of its citizens by an appeal to arms. It is much to be wished that all foreign governments would take the same view. But they do not; and in consequence we are liable at any time to be brought face to face with disagreeable alternatives. On the one hand, this country would certainly decline to go to war to prevent a foreign government from collecting a just debt; on the other hand, it is very inadvisable to permit any foreign power to take possession, even temporarily, of the custom houses of an American Republic in order to enforce the payment of its obligations; for such temporary occupation might turn into a permanent occupation. The only escape from these alternatives may at any time be that we must ourselves undertake to bring about some arrangement by which so much as possible of a just obligation shall be paid. It is far better that this country should put through such an arrangement, rather than allow any foreign country to undertake it. To do so insures the defaulting republic from having to pay debt of an improper character under duress, while it also insures honest creditors of the republic from being passed by in the interest of dishonest or grasping creditors. Moreover, for the United States to take such a position offers the only possible way of insuring us against a clash with some foreign power. The position is, therefore, in the interest of peace as well as in the interest of justice. It is of benefit to our people; it is of benefit to foreign peoples; and most of all it is really of benefit to the people of the country concerned.

This brings me to what should be one of the fundamental objects of the Monroe Doctrine. We must ourselves in good faith try to help upward toward peace and order those of our sister republics which need such help. Just as there has been a gradual growth of the ethical element in the relations of one individual to another, so we are, even though slowly, more and more coming to recognize the duty of bear-

ing one another's burdens, not only as among individuals, but also as among nations.

Santo Domingo, in her turn, has now made an appeal to us to help her, and not only every principle of wisdom but every generous instinct within us bids us respond to the appeal. It is not of the slightest consequence whether we grant the aid needed by Santo Domingo as an incident to the wise development of the Monroe Doctrine or because we regard the case of Santo Domingo as standing wholly by itself, and to be treated as such, and not on general principles or with any reference to the Monroe Doctrine. The important point is to give the needed aid, and the case is certainly sufficiently peculiar to deserve to be judged purely on its own merits. The conditions in Santo Domingo have for a number of years grown from bad to worse until a year ago all society was on the verge of dissolution. Fortunately, just at this time a ruler sprang up in Santo Domingo, who, with his colleagues, saw the dangers threatening their country and appealed to the friendship of the only great and powerful neighbor who possessed the power, and as they hoped also the will to help them. There was imminent danger of foreign intervention. The previous rulers of Santo Domingo had recklessly incurred debts, and owing to her internal disorders she had ceased to be able to provide means of paying the debts. The patience of her foreign creditors had become exhausted, and at least two foreign nations were on the point of intervention, and were only prevented from intervening by the unofficial assurance of this Government that it would itself strive to help Santo Domingo in her hour of need. In the case of one of these nations, only the actual opening of negotiations to this end by our Government prevented the seizure of territory in Santo Domingo by a European power. Of the debts incurred some were just, while some were not of a character which really renders it obligatory on or proper for Santo Domingo to pay them in full. But she could not pay any of them unless some stability was assured her Government and people.

Accordingly, the Executive Department of our Government negotiated a treaty under which we are to try to help the Dominican people to straighten out their finances. This treaty is pending before the Senate. In the meantime a temporary arrangement has been made which will last until the Senate has had time to take action upon the treaty. Under this arrangement the Dominican Government has appointed Americans to all the important positions in the customs service, and they are seeing to the honest collection of the revenues, turning over 45 per cent. to the Government for running expenses and putting the other 55 per cent. into a safe depository for equitable division in case the treaty shall be ratified, among the various creditors, whether European or American.

The Custom Houses offer well-nigh the only sources of revenue in Santo Domingo, and the different revolutions usually have as their real aim the obtaining of these Custom Houses. The mere fact that the Collectors of Customs are Americans, that they are performing their duties with efficiency and honesty, and that the treaty is pending in the Senate gives a certain moral power to the Government of Santo Domingo which it has not had before. This has completely discouraged all revolutionary movement, while it has already produced such an increase in the revenues that the Government is actually getting more from the 45 per cent. that the American Collectors turn over to it than it got formerly when it took the entire revenue. It is enabling the poor, harassed people of Santo Domingo once more to turn their attention to industry and to be free from the cure of interminable revolutionary disturbance. It offers to all bona-fide creditors, American and European, the only really good chance to obtain that to which they are justly entitled, while it in return gives to Santo Domingo the only opportunity of defense against claims which it ought not to pay, for now if it meets the views of the Senate we shall ourselves thoroughly examine all these claims, whether American or foreign, and see that none that are improper are paid. There is, of course, opposition to the treaty from dishonest creditors, foreign and American, and from the professional revolutionists of the island itself. We have already reason to believe that some of the creditors who do not dare expose their claims to honest scrutiny are endeavoring to stir up sedition in the island and opposition to the treaty. In the meantime, I have exercised the authority vested in me by the joint resolution of the Congress to prevent the introduction of arms into the island for revolutionary purposes.

Under the course taken, stability and order and all the benefits of peace are at last coming to Santo Domingo, danger of foreign intervention has been suspended, and there is at last a prospect that all creditors will get justice, no more and no less. If the arrangement is terminated by the failure of the treaty chaos will follow; and if chaos follows, sooner or later this Government may be involved in serious difficulties with foreign Governments over the island, or else may be forced itself to intervene in the island in some unpleasant fashion. Under the proposed treaty the independence of the island is scrupulously respected, the danger of violation of the Monroe Doctrine by the intervention of foreign powers vanishes, and the interference of our Government is minimized, so that we shall only act in conjunction with the Santo Domingo authorities to secure the proper administration of the customs, and therefore to secure the payment of just debts and to secure the Dominican Government against demands for unjust debts. The proposed method will give the people of Santo Domingo

the same chance to move onward and upward which we have already given to the people of Cuba. It will be doubly to our discredit as a Nation if we fail to take advantage of this chance; for it will be of damage to ourselves, and it will be of incalculable damage to Santo Domingo. Every consideration of wise policy, and, above all, every consideration of large generosity, bids us meet the request of Santo Domingo as we are now trying to meet it.

We cannot consider the question of our foreign policy without at the same time treating of the Army and the Navy. We now have a very small army indeed, one well-nigh infinitesimal when compared with the army of any other large nation. Of course the army we do have should be as nearly perfect of its kind and for its size as is possible. I do not believe that any army in the world has a better average of enlisted men or a better type of junior officer; but the army should be trained to act effectively in a mass. Provision should be made by sufficient appropriations for manœuvres of a practical kind, so that the troops may learn how to take care of themselves under actual service conditions; every march, for instance, being made with the soldier loaded exactly as he would be in active campaign. The Generals and Colonels would thereby have opportunity of handling regiments, brigades, and divisions, and the commissary and medical departments would be tested in the field. Provision should be made for the exercise at least of a brigade and by preference of a division in marching and embarking at some point on our coast and disembarking at some other point and continuing its march. The number of posts in which the army is kept in time of peace should be materially diminished and the posts that are left made correspondingly larger. No local interests should be allowed to stand in the way of assembling the greater part of the troops which would at need form our field armies in stations of such size as will permit the best training to be given to the personnel of all grades, including the high officers and staff officers. To accomplish this end we must have not company or regimental garrisons, but brigade and division garrisons. Promotion by mere seniority can never result in a thoroughly efficient corps of officers in the higher ranks unless there accompanies it a vigorous weeding-out process. Such a weeding-out process—that is, such a process of selection—is a chief feature of the four years' course of the young officer at West Point. There is no good reason why it should stop immediately upon his graduation. While at West Point he is dropped unless he comes up to a certain standard of excellence, and when he graduates he takes rank in the army according to his rank of graduation. The results are good at West Point; and there should be in the army itself something that will achieve the same end. After a certain age has been reached the average officer is unfit to

do good work below a certain grade. Provision should be made for the promotion of exceptionally meritorious men over the heads of their comrades and for the retirement of all men who have reached a given age without getting beyond a given rank; this age of retirement of course changing from rank to rank. In both the army and the navy there should be some principle of selection, that is, of promotion for merit, and there should be a resolute effort to eliminate the aged officers of reputable character who possess no special efficiency.

There should be an increase in the coast artillery force, so that our coast fortifications can be in some degree adequately manned. There is special need for an increase and reorganization of the Medical Department of the army. In both the army and navy there must be the same thorough training for duty in the staff corps as in the fighting line. Only by such training in advance can we be sure that in actual war field operations and those at sea will be carried on successfully. The importance of this was shown conclusively in the Spanish-American and the Russo-Japanese wars. The work of the medical departments in the Japanese army and navy is especially worthy of study. I renew my recommendation of January 9, 1905, as to the Medical Department of the army and call attention to the equal importance of the needs of the staff corps of the navy. In the Medical Department of the navy the first in importance is the reorganization of the Hospital Corps, on the lines of the Gallinger bill, (S. 3,984, February 1, 1904), and the reapportionment of the different grades of the medical officers to meet service requirements. It seems advisable also that medical officers of the army and navy should have similar rank and pay in their respective grades, so that their duties can be carried on without friction when they are brought together. The base hospitals of the navy should be put in condition to meet modern requirements and hospital ships be provided. Unless we now provide with ample forethought for the medical needs of the army and navy appalling suffering of a preventable kind is sure to occur if ever the country goes to war. It is not reasonable to expect successful administration in time of war of a department which lacks a third of the number of officers necessary to perform the medical service in time of peace. We need men who are not merely doctors; they must be trained in the administration of military medical service.

Our navy must, relatively to the navies of other nations, always be of greater size than our army. We have most wisely continued for a number of years to build up our navy, and it has now reached a fairly high standard of efficiency. This standard of efficiency must not only be maintained, but increased. It does not seem to be necessary, however, that the navy should—at least in the immediate future—be increased beyond the present number of units. What is now

clearly necessary is to substitute efficient for inefficient units as the latter become worn out or as it becomes apparent that they are useless. Probably the result would be attained by adding a single battleship to our navy each year, the superseded or outworn vessels being laid up or broken up as they are thus replaced. The four single-turret monitors built immediately after the close of the Spanish war, for instance, are vessels which would be of but little use in the event of war. The money spent upon them could have been more usefully spent in other ways. Thus it would have been far better never to have built a single one of these monitors and to have put the money into an ample supply of reserve guns. Most of the smaller cruisers and gunboats, though they serve a useful purpose so far as they are needed for international police work, would not add to the strength of our navy in a conflict with a serious foe. There is urgent need of providing a large increase in the number of officers, and especially in the number of enlisted men.

Recent naval history has emphasized certain lessons which ought not to, but which do, need emphasis. Seagoing torpedo boats or destroyers are indispensable, not only for making night attacks by surprise upon an enemy, but even in battle for finishing already crippled ships. Under exceptional circumstances submarine boats would doubtless be of use. Fast scouts are needed. The main strength of the navy, however, lies, and can only lie, in the great battleships, the heavily armored, heavily gunned vessels which decide the mastery of the seas. Heavy-armed cruisers also play a most useful part, and unarmed cruisers, if swift enough, are very useful as scouts. Between antagonists of approximately equal prowess the comparative perfection of the instruments of war will ordinarily determine the fight. But it is, of course, true that the man behind the gun, the man in the engine room, and the man in the conning tower, considered not only individually, but especially with regard to the way in which they work together, are even more important than the weapons with which they work. The most formidable battleship is, of course, helpless against even a light cruiser if the men aboard it are unable to hit anything with their guns, and thoroughly well-handled cruisers may count seriously in an engagement with much superior vessels, if the men aboard the latter are ineffective, whether from lack of training or from any other cause. Modern warships are most formidable mechanisms when well handled, but they are utterly useless when not well handled, and they cannot be handled at all without long and careful training. This training can under no circumstance be given when once war has broken out. No fighting ship of the first class should ever be laid up save for necessary repairs, and her crew should be kept constantly exercised on the high seas, so that she may stand at the highest point of perfec-

tion. To put a new and untrained crew upon the most powerful battleship and send it out to meet a formidable enemy is not only to invite, but to insure, disaster and disgrace. To improvise crews at the outbreak of a war, so far as the serious fighting craft are concerned, is absolutely hopeless. If the officers and men are not thoroughly skilled in, and have not been thoroughly trained to, their duties, it would be far better to keep the ships in port during hostilities than to send them against a formidable opponent, for the result could only be that they would be either sunk or captured. The marksmanship of our navy is now on the whole in a gratifying condition, and there has been a great improvement in fleet practice. We need additional seamen; we need a large store of reserve guns; we need sufficient money for ample target practice, ample practice of every kind at sea. We should substitute for comparatively inefficient types—the old third-class battleship *Texas*, the single-turreted monitors above mentioned, and, indeed, all the monitors and some of the old cruisers—efficient, modern seagoing vessels. Seagoing torpedo-boat destroyers should be substituted for some of the smaller torpedo boats. During the present Congress there need be no additions to the aggregate number of units of the navy. Our navy, though very small relatively to the navies of other nations, is for the present sufficient in point of numbers for our needs, and while we must constantly strive to make its efficiency higher, there need be no additions to the total of ships now built and building, save in the way of substitution as above outlined. I recommend the report of the Secretary of the Navy to the careful consideration of the Congress, especially with a view to the legislation therein advocated.

During the past year evidence has accumulated to confirm the expressions contained in my last two annual messages as to the importance of revising by appropriate legislation our system of naturalizing aliens. I appointed last March a commission to make a careful examination of our naturalization laws, and to suggest appropriate measures to avoid the notorious abuses resulting from the improvident or unlawful granting of citizenship. This commission, composed of an officer of the Department of State, of the Department of Justice, and of the Department of Commerce and Labor, has discharged the duty imposed upon it, and has submitted a report, which will be transmitted to the Congress for its consideration, and, I hope, for its favorable action.

The distinguishing recommendations of the commission are:

First—A Federal Bureau of Naturalization, to be established in the Department of Commerce and Labor, to supervise the administration of the naturalization laws and to receive returns of naturalizations pending and accomplished.

Second—Uniformity of naturalization certificates, fees to be charged, and procedure.

Third—More exacting qualifications for citizenship.

Fourth—The preliminary declaration of intention to be abolished and no alien to be naturalized until at least ninety days after the filing of his petition.

Fifth—Jurisdiction to naturalize aliens to be confined to United States district courts and to such State courts as have jurisdiction in civil actions in which the amount in controversy is unlimited; in cities of over 100,000 inhabitants the United States district courts to have exclusive jurisdiction in the naturalization of the alien residents of such cities.

In my last message I asked the attention of the Congress to the urgent need of action to make our criminal law more effective; and I most earnestly request that you pay heed to the report of the Attorney General on this subject. Centuries ago it was especially needful to throw every safeguard round the accused. The danger then was lest he should be wronged by the State. The danger is now exactly the reverse. Our laws and customs tell immensely in favor of the criminal and against the interests of the public he has wronged. Some antiquated and outworn rules which once safeguarded the threatened rights of private citizens, now merely work harm to the general body politic. The criminal law of the United States stands in urgent need of revision. The criminal process of any court of the United States should run throughout the entire territorial extent of our country. The delays of the criminal law, no less than of the civil, now amount to a very great evil.

There seems to be no statute of the United States which provides for the punishment of a United States Attorney or other officer of the Government who corruptly agrees to wrongfully do or wrongfully refrain from doing any act when the consideration for such corrupt agreement is other than one possessing money value. This ought to be remedied by appropriate legislation. Legislation should also be enacted to cover explicitly, unequivocally, and beyond question breach of trust in the shape of prematurely divulging official secrets by an officer or employe of the United States, and to provide a suitable penalty therefor. Such officer or employe owes the duty to the United States to guard carefully and not to divulge or in any manner use, prematurely, information which is accessible to the officer or employe by reason of his official position. Most breaches of public trust are already covered by the law, and this one should be. It is impossible, no matter how much care is used, to prevent the occasional appointment to the public service of a man who when tempted proves unfaithful; but every means should be provided to detect and every

effort made to punish the wrongdoer. So far as in my power lies each and every such wrongdoer shall be relentlessly hunted down; in no instance in the past has he been spared; in no instance in the future shall he be spared. His crime is a crime against every honest man in the Nation, for it is a crime against the whole body politic. Yet in dwelling on such misdeeds it is unjust not to add that they are altogether exceptional, and that on the whole the employes of the Government render upright and faithful service to the people. There are exceptions, notably in one or two branches of the service, but at no time in the Nation's history has the public service of the Nation taken as a whole stood on a higher plane than now, alike as regards honesty and as regards efficiency.

Once again I call your attention to the condition of the public land laws. Recent developments have given new urgency to the need for such changes as will fit these laws to actual present conditions. The honest disposal and right use of the remaining public lands is of fundamental importance. The iniquitous methods by which the monopolizing of the public lands is being brought about under the present laws are becoming more generally known, but the existing laws do not furnish effective remedies. The recommendations of the Public Lands Commission upon this subject are wise and should be given effect.

The creation of small irrigated farms under the Reclamation act is a powerful offset to the tendency of certain other laws to foster or permit monopoly of the land. Under that act the construction of great irrigation works has been proceeding rapidly and successfully, the lands reclaimed are eagerly taken up, and the prospect that the policy of National irrigation will accomplish all that was expected of it is bright. The act should be extended to include the State of Texas.

The Reclamation act derives much of its value from the fact that it tends to secure the greatest possible number of homes on the land, and to create communities of freeholders, in part by settlement on public lands, in part by forcing the subdivision of large private holdings before they can get water from Government irrigation works. The law requires that no right to the use of water for land in private ownership shall be sold for a tract exceeding 160 acres to any one land owner. This provision has excited active and powerful hostility, but the success of the law itself depends on the wise and firm enforcement of it. We cannot afford to substitute tenants for freeholders on the public domain.

The greater part of the remaining public lands can not be irrigated. They are at present and will probably always be of greater value for grazing than for any other purpose. This fact has led to the grazing homestead of 640 acres in Nebraska and to the proposed extension of it to other States. It is argued that a family can not be supported

on 160 acres of arid grazing land. This is obviously true, but neither can a family be supported on 640 acres of much of the land to which it is proposed to apply the grazing homestead. To establish universally any such arbitrary limit would be unwise at the present time. It would probably result on the one hand in enlarging the holdings of some of the great land owners, and on the other in needless suffering and failure on the part of a very considerable proportion of the bona fide settlers who give faith to the implied assurance of the Government that such an area is sufficient. The best use of the public grazing lands requires the careful examination and classification of these lands in order to give each settler land enough to support his family and no more. While this work is being done, and until the lands are settled, the Government should take control of the open range, under reasonable regulations suited to local needs, following the general policy already in successful operation on the forest reserves. It is probable that the present grazing value of the open public range is scarcely more than half what it once was or what it might easily be again under careful regulation.

The forest policy of the Administration appears to enjoy the unbroken support of the people. The great users of timber are themselves forwarding the movement for forest preservation. All organized opposition to the forest preserves in the West has disappeared. Since the consolidation of all Government forest work in the National Forest Service there has been a rapid and notable gain in the usefulness of the forest reserves to the people and in public appreciation of their value. The National parks within or adjacent to forest reserves should be transferred to the charge of the Forest Service also.

The National Government already does something in connection with the construction and maintenance of the great system of levees along the lower course of the Mississippi; in my judgment it should do much more.

To the spread of our trade in peace and the defense of our flag in war a great and prosperous merchant marine is indispensable. We should have ships of our own and seamen of our own to convey our goods to neutral markets, and in case of need to re-inforce our battle line. It cannot but be a source of regret and uneasiness to us that the lines of communication with our sister republics of South America should be chiefly under foreign control. It is not a good thing that American merchants and manufacturers should have to send their goods and letters to South America via Europe if they wish security and dispatch. Even on the Pacific, where our ships have held their own better than on the Atlantic, our merchant flag is now threatened through the liberal aid bestowed by other Governments on their own steam lines. I ask your earnest consideration of the report with which

the Merchant Marine Commission has followed its long and careful inquiry.

I again heartily commend to your favorable consideration the tercentennial celebration at Jamestown, Va. Appreciating the desirability of this commemoration, the Congress passed an act, March 3, 1905, authorizing in the year 1907, on and near the waters of Hampton Roads, in the State of Virginia, an international naval, marine, and military celebration in honor of this event. By the authority vested in me by this act, I have made proclamation of said celebration, and have issued, in conformity with its instructions, invitations to all the nations of the earth to participate, by sending their naval vessels and such military organizations as may be practicable. This celebration would fail of its full purpose unless it were enduring in its results and commensurate with the importance of the event to be celebrated, the event from which our Nation dates its birth. I earnestly hope that this celebration, already indorsed by the Congress of the United States, and by the Legislatures of sixteen States since the action of the Congress, will receive such additional aid at your hands as will make it worthy of the great event it is intended to celebrate, and thereby enable the Government of the United States to make provision for the exhibition of its own resources, and likewise enable our people who have undertaken the work of such a celebration to provide suitable and proper entertainment and instruction in the historic events of our country for all who may visit the exposition and to whom we have tendered our hospitality.

It is a matter of unmixed satisfaction once more to call attention to the excellent work of the Pension Bureau; for the veterans of the civil war have a greater claim upon us than any other class of our citizens. To them, first of all among our people, honor is due.

Seven years ago my lamented predecessor, President McKinley, stated that the time had come for the Nation to care for the graves of the Confederate dead. I recommend that the Congress take action toward this end. The first need is to take charge of the graves of the Confederate dead who died in Northern prisons.

The question of immigration is of vital interest to this country. In the year ending June 30, 1905, there came to the United States 1,026,000 alien immigrants. In other words, in the single year that has just elapsed there came to this country a greater number of people than came here during the one hundred and sixty-nine years of our Colonial life which intervened between the first landing at Jamestown and the Declaration of Independence. It is clearly shown in the report of the Commissioner General of Immigration that while much of this enormous immigration is undoubtedly healthy and natural, a considerable proportion is undesirable from one reason or another;

moreover, a considerable proportion of it, probably a very large proportion, including most of the undesirable class, does not come here of its own initiative, but because of the activity of the agents of the great transportation companies. These agents are distributed throughout Europe, and by the offer of all kinds of inducements they wheedle and cajole many immigrants, often against their best interest, to come here. The most serious obstacle we have to encounter in the effort to secure a proper regulation of the immigration to these shores arises from the determined opposition of the foreign steamship lines who have no interest whatever in the matter save to increase the returns on their capital by carrying masses of immigrants hither in the steerage quarters of their ships.

As I said in my last message to the Congress, we cannot have too much immigration of the right sort and we should have none whatever of the wrong sort. Of course, it is desirable that even the right kind of immigration should be properly distributed in this country. We need more of such immigration for the South; and special effort should be made to secure it. Perhaps it would be possible to limit the number of immigrants allowed to come in any one year to New York and other Northern cities, while leaving unlimited the number allowed to come to the South; always provided, however, that a stricter effort is made to see that only immigrants of the right kind come to our country anywhere. In actual practice it has proved so difficult to enforce the immigration laws where long stretches of frontier marked by an imaginary line alone intervene between us and our neighbors that I recommend that no immigrants be allowed to come in from Canada and Mexico save natives of the two countries themselves. As much as possible should be done to distribute the immigrants upon the land and keep them away from the congested tenement-house districts of the great cities. But distribution is a palliative, not a cure. The prime need is to keep out all immigrants who will not make good American citizens. The laws now existing for the exclusion of undesirable immigrants should be strengthened. Adequate means should be adopted, enforced by sufficient penalties, to compel steamship companies engaged in the passenger business to observe in good faith the law which forbids them to encourage or solicit immigration to the United States. Moreover, there should be a sharp limitation imposed upon all vessels coming to our ports as to the number of immigrants in ratio to the tonnage which each vessel can carry. This ratio should be high enough to insure the coming hither of as good a class of aliens as possible. Provision should be made for the surer punishment of those who induce aliens to come to this country under promise or assurance of employment. It should be made possible to inflict a sufficiently heavy penalty on any employer violating this law to deter him

from taking the risk. It seems to me wise that there should be an international conference held to deal with this question of immigration, which has more than a merely National significance; such a conference could, among other things, enter at length into the methods for securing a thorough inspection of would-be immigrants at the ports from which they desire to embark before permitting them to embark.

In dealing with this question it is unwise to depart from the old American tradition and to discriminate for or against any man who desires to come here and become a citizen, save on the ground of that man's fitness for citizenship. It is our right and duty to consider his moral and social quality. His standard of living should be such that he will not, by pressure of competition, lower the standard of living of our own wage-workers; for it must ever be a prime object of our legislation to keep high their standard of living. If the man who seeks to come here is from the moral and social standpoint of such a character as to bid fair to add value to the community he should be heartily welcomed. We cannot afford to pay heed to whether he is of one creed or another, of one nation, or another. We cannot afford to consider whether he is Catholic or Protestant, Jew or Gentile; whether he is Englishman or Irishman, Frenchman or German, Japanese, Italian, Scandinavian, Slav, or Magyar. What we should desire to find out is the individual quality of the individual man. In my judgment, with this end in view, we shall have to prepare through our own agents a far more rigid inspection in the countries from which the immigrants come. It will be a great deal better to have fewer immigrants, many of whom are necessarily of the wrong kind. As far as possible we wish to limit the immigration to this country to persons who propose to become citizens of this country, and we can well afford to insist upon adequate scrutiny of the character of those who are thus proposed for future citizenship. There should be an increase in the stringency of the laws to keep out insane, idiotic, epileptic, and pauper immigrants. But this is by no means enough. Not merely the Anarchist, but every man of Anarchistic tendencies, all violent and disorderly people, all people of bad character, the incompetent, the lazy, the vicious, the physically unfit, defective, or degenerate should be kept out. The stocks out of which American citizenship is to be built should be strong and healthy, sound in body, mind, and character. If it be objected that the Government agents would not always select well, the answer is that they would certainly select better than do the agents and brokers of foreign steamship companies, the people who now do whatever selection is done.

The questions arising in connection with Chinese immigration stand

by themselves. The conditions in China are such that the entire Chinese coolie class, that is, the class of Chinese laborers, skilled and unskilled, legitimately come under the head of undesirable immigrants to this country, because of their numbers, the low wages for which they work, and their low standard of living. Not only is it to the interest of this country to keep them out, but the Chinese authorities do not desire that they should be admitted. At present their entrance is prohibited by laws amply adequate to accomplish this purpose. These laws have been, are being, and will be, thoroughly enforced. The violations of them are so few in number as to be infinitesimal and can be entirely disregarded. There is no serious proposal to alter the immigration law as regards the Chinese laborer, skilled or unskilled, and there is no excuse for any man feeling or affecting to feel the slightest alarm on the subject.

But in the effort to carry out the policy of excluding Chinese laborers, Chinese coolies, grave injustice and wrong have been done by this Nation to the people of China, and therefore ultimately to this Nation itself. Chinese students, business and professional men of all kinds—not only merchants, but bankers, doctors, manufacturers, professors, travelers, and the like—should be encouraged to come here, and treated on precisely the same footing that we treat students, business men, travelers, and the like of other nations. Our laws and treaties should be framed, not so as to put these people in the excepted classes, but to state that we will admit all Chinese, except Chinese of the coolie class, Chinese skilled or unskilled laborers. There would not be the least danger that any such provision would result in any relaxation of the law about laborers. These will, under all conditions, be kept out absolutely. But it will be more easy to see that both justice and courtesy are shown, as they ought to be shown, to other Chinese, if the law or treaty is framed as above suggested. Examinations should be completed at the port of departure from China. For this purpose there should be provided a more adequate Consular Service in China than we now have. The appropriations both for the offices of the Consuls and for the office forces in the consulates should be increased.

As a people we have talked much of the open door in China, and we expect, and quite rightly intend to insist upon, justice being shown us by the Chinese. But we cannot expect to receive equity unless we do equity. We cannot ask the Chinese to do to us what we are unwilling to do to them. They would have a perfect right to exclude our laboring men if our laboring men threatened to come into their country in such numbers as to jeopardize the well-being of the Chinese population; and as, *mutatis mutandis*, these were the conditions with which Chinese immigration actually brought this people face to face,

we had and have a perfect right, which the Chinese Government in no way contests, to act as we have acted in the matter of restricting coolie immigration. That this right exists for each country was explicitly acknowledged in the last treaty between the two countries. But we must treat the Chinese student, traveler, and business man in a spirit of the broadest justice and courtesy if we expect similar treatment to be accorded to our own people of similar rank who go to China. Much trouble has come during the past Summer from the organized boycott against American goods which has been started in China. The main factor in producing this boycott has been the resentment felt by the students and business people of China, by all the Chinese leaders, against the harshness of our law toward educated Chinamen of the professional and business classes.

This Government has the friendliest feeling for China and desires China's well-being. We cordially sympathize with the announced purpose of Japan to stand for the integrity of China. Such an attitude tends to the peace of the world.

The civil service law has been on the statute books for twenty-two years. Every President and a vast majority of heads of departments who have been in office during that period have favored a gradual extension of the merit system. The more thoroughly its principles have been understood, the greater has been the favor with which the law has been regarded by administration officers. Any attempt to carry on the great executive departments of the Government without this law would inevitably result in chaos. The Civil Service Commissioners are doing excellent work, and their compensation is inadequate considering the service they perform.

The statement that the examinations are not practical in character is based on a misapprehension of the practice of the Commission. The departments are invariably consulted as to the requirements desired and as to the character of questions that shall be asked. General invitations are frequently sent out to all heads of departments asking whether any changes in the scope or character of examinations are required. In other words, the departments prescribe the requirements and qualifications desired, and the Civil Service Commission co-operates with them in securing persons with these qualifications and insuring open and impartial competition. In a large number of examinations (as, for example, those for trades positions), there are no educational requirements whatever, and a person who can neither read nor write may pass with a high average. Vacancies in the service are filled with reasonable expedition, and the machinery of the Commission, which reaches every part of the country, is the best agency that has yet been devised for finding people with the most suitable qualifications for the various offices to be filled. Written competitive

examinations do not make an ideal method for filling positions, but they do represent an immeasurable advance upon the "spoils" method, under which outside politicians really make the appointments nominally made by the executive officers, the appointees being chosen by the politicians in question, in the great majority of cases, for reasons totally unconnected with the needs of the service or of the public.

Statistics gathered by the Census Bureau show that the tenure of office in the Government service does not differ materially from that enjoyed by employes of large business corporations. Heads of executive departments and members of the Commission have called my attention to the fact that the rule requiring a filing of charges and three days' notice before an employe could be separated from the service for inefficiency has served no good purpose whatever, because that is not a matter upon which a hearing of the employe found to be inefficient can be of any value, and in practice the rule providing for such notice and hearing has merely resulted in keeping in a certain number of incompetents, because of the reluctance of the heads of departments and bureau chiefs to go through the required procedure. Experience has shown that this rule is wholly ineffective to save any man, if a superior for improper reasons wishes to remove him, and is mischievous because it sometimes serves to keep in the service incompetent men not guilty of specific wrongdoing. Having these facts in view the rule has been amended by providing that where the inefficiency or incapacity comes within the personal knowledge of the head of a department the removal may be made without notice, the reasons therefor being filed and made a record of the department. The absolute right of the removal rests where it always has rested, with the head of a department; any limitation of this absolute right results in grave injury to the public service. The change is merely one of procedure; it was much needed, and it is producing good results.

The civil service law is being energetically and impartially enforced, and in the large majority of cases complaints of violations of either the law or rules are discovered to be unfounded. In this respect this law compares very favorably with any other Federal statute. The question of politics in the appointment and retention of the men engaged in merely ministerial work has been practically eliminated in almost the entire field of Government employment covered by the civil service law. The action of the Congress in providing the commission with its own force instead of requiring it to rely on detailed clerks has been justified by the increased work done at a smaller cost to the Government. I urge upon the Congress a careful consideration of the recommendations contained in the annual report of the commission.

Our copyright laws urgently need revision. They are imperfect

in definition, confused and inconsistent in expression; they omit provision for many articles which, under modern reproductive processes are entitled to protection; they impose hardships upon the copyright proprietor which are not essential to the fair protection of the public; they are difficult for the courts to interpret and impossible for the Copyright Office to administer with satisfaction to the public. Attempts to improve them by amendment have been frequent, no less than twelve acts for the purpose having been passed since the Revised Statutes. To perfect them by further amendment seems impracticable. A complete revision of them is essential. Such a revision, to meet modern conditions, has been found necessary in Germany, Austria, Sweden, and other foreign countries, and bills embodying it are pending in England and the Australian colonies. It has been urged here, and proposals for a commission to undertake it have, from time to time, been pressed upon the Congress. The inconveniences of the present conditions being so great, an attempt to frame appropriate legislation has been made by the Copyright Office, which has called conferences of the various interests especially and practically concerned with the operation of the copyright laws. It has secured from them suggestions as to the changes necessary; it has added from its own experience and investigations, and it has drafted a bill which embodies such of these changes and additions as, after full discussion and expert criticism, appeared to be sound and safe. In form this bill would replace the existing insufficient and inconsistent laws by one general copyright statute. It will be presented to the Congress at the coming session. It deserves prompt consideration.

I recommend that a law be enacted to regulate inter-State commerce in misbranded and adulterated foods, drinks, and drugs. Such law would protect legitimate manufacture and commerce, and would tend to secure the health and welfare of the consuming public. Traffic in food-stuffs which have been debased or adulterated so as to injure health or to deceive purchasers should be forbidden.

The law forbidding the emission of dense black or gray smoke in the city of Washington has been sustained by the courts. Something has been accomplished under it, but much remains to be done if we would preserve the capital city from defacement by the smoke nuisance. Repeated prosecutions under the law have not had the desired effect. I recommend that it be made more stringent by increasing both the minimum and maximum fine; by providing for imprisonment in cases of repeated violation, and by affording the remedy of injunction against the continuation of the operation of plants which are persistent offenders. I recommend, also, an increase in the number of inspectors, whose duty it shall be to detect violations of the act.

I call your attention to the generous act of the State of California

in conferring upon the United States Government the ownership of the Yosemite Valley and the Mariposa Big Tree Grove. There should be no delay in accepting the gift, and appropriations should be made for the including thereof in the Yosemite National Park, and for the care and policing of the park. California has acted most wisely, as well as with great magnanimity, in the matter. There are certain mighty natural features of our land which should be preserved in perpetuity for our children and our children's children. In my judgment, the Grand Canyon of the Colorado should be made into a National park. It is greatly to be wished that the State of New York should copy as regards Niagara what the State of California has done as regards the Yosemite. Nothing should be allowed to interfere with the preservation of Niagara Falls in all their beauty and majesty. If the State cannot see to this, then it is earnestly to be wished that she should be willing to turn it over to the National Government, which should in such case (if possible, in conjunction with the Canadian Government) assume the burden and responsibility of preserving unharmed Niagara Falls; just as it should gladly assume a similar burden and responsibility for the Yosemite National Park, and as it has already assumed them for the Yellowstone National Park. Adequate provision should be made by the Congress for the proper care and supervision of all these National parks. The boundaries of the Yellowstone National Park should be extended to the south and east, to take in such portions of the abutting forest reservations as will enable the Government to protect the elk on their Winter range.

The most characteristic animal of the Western plains was the great, shaggy-maned wild ox, the bison, commonly known as buffalo. Small fragments of herds exist in a domesticated state here and there, a few of them in the Yellowstone Park. Such a herd as that on the Flat-head Reservation should not be allowed to go out of existence. Either on some reservation or on some forest reserve like the Wichita reserve and game refuge provision should be made for the preservation of such a herd. I believe that the scheme would be of economic advantage, for the robe of the buffalo is of high market value, and the same is true of the robe of the crossbred animals.

I call your especial attention to the desirability of giving to the members of the Life Saving Service pensions such as are given to firemen and policemen in all our great cities. The men in the Life Saving Service continually and in the most matter of fact way do deeds such as make Americans proud of their country. They have no political influence, and they live in such remote places that the really heroic services they continually render receive the scantiest recognition from the public. It is unjust for a great nation like this to permit these men to become totally disabled or to meet death in the performance

of their hazardous duty and yet to give them no sort of reward. If one of them serves thirty years of his life in such a position he should surely be entitled to retire on half pay, as a fireman or policeman does, and if he becomes totally incapacitated through accident or sickness, or loses his health in the discharge of his duty, he or his family should receive a pension just as any soldier should. I call your attention with especial earnestness to this matter because it appeals not only to our judgment but to our sympathy; for the people on whose behalf I ask it are comparatively few in number, render incalculable service of a particularly dangerous kind, and have no one to speak for them.

During the year just past, the phase of the Indian question which has been most sharply brought to public attention is the larger legal significance of the Indian's induction into citizenship. This has made itself manifest not only in a great access of litigation in which the citizen Indian figures as a party defendant and in a more widespread disposition to levy local taxation upon his personalty, but in a decision of the United States Supreme Court which struck away the main prop on which has hitherto rested the Government's benevolent effort to protect him against the evils of intemperance. The court holds, in effect, that when an Indian becomes, by virtue of an allotment of land to him, a citizen of the State in which his land is situated, he passes from under Federal control in such matters as this, and the acts of the Congress prohibiting the sale or gift to him of intoxicants become substantially inoperative. It is gratifying to note that the States and municipalities of the West which have most at stake in the welfare of the Indians are taking up this subject and are trying to supply, in a measure at least, the abdication of its trusteeship forced upon the Federal Government. Nevertheless, I would urgently press upon the attention of the Congress the question whether some amendment of the internal revenue laws might not be of aid in prosecuting those malefactors, known in the Indian country as "bootleggers," who are engaged at once in defrauding the United States Treasury of taxes and, what is far more important, in debauching the Indians by carrying liquors illicitly into territory still completely under Federal jurisdiction.

Among the crying present needs of the Indians are more day schools situated in the midst of their settlements, more effective instruction in the industries pursued on their own farms, and a more liberal extension of the field-matron service, which means the education of the Indian women in the arts of home making. Until the mothers are well started in the right direction we cannot reasonably expect much from the children who are soon to form an integral part of our American citizenship. Moreover the excuse continually advanced by

male adult Indians for refusing offers of remunerative employment at a distance from their homes is that they dare not leave their families too long out of their sight. One effectual remedy for this state of things is to employ the minds and strengthen the moral fibre of the Indian women—the end to which the work of the field matron is especially directed. I trust that the Congress will make its appropriations for Indian day schools and field matrons as generous as may consist with the other pressing demands upon its providence.

During the last year the Philippine Islands have been slowly recovering from the series of disasters which, since American occupation, have greatly reduced the amount of agricultural products below what was produced in Spanish times. The war, the rinderpest, the locusts, the drought, and the cholera have been united as causes to prevent a return of the prosperity much needed in the islands. The most serious is the destruction by the rinderpest of more than 75 per cent. of the draught cattle, because it will take several years of breeding to restore the necessary number of these indispensable aids to agriculture. The commission attempted to supply by purchase from adjoining countries the needed cattle, but the experiments made were unsuccessful. Most of the cattle imported were unable to withstand the change of climate and the rigors of the voyage and died from other diseases than rinderpest.

The income of the Philippine Government has necessarily been reduced by reason of the business and agricultural depression in the islands, and the Government has been obliged to exercise great economy to cut down its expenses, to reduce salaries, and in every way to avoid a deficit. It has adopted an internal revenue law, imposing taxes on cigars, cigarettes, and distilled liquors, and abolishing the old Spanish industrial taxes. The law has not operated as smoothly as was hoped, and although its principle is undoubtedly correct, it may need amendments for the purpose of reconciling the people to its provisions. The income derived from it has partly made up for the reduction in customs revenue.

There has been a marked increase in the number of Filipinos employed in the civil service, and a corresponding decrease in the number of Americans. The Government in every one of its departments has been rendered more efficient by elimination of undesirable material and the promotion of deserving public servants.

Improvements of harbors, roads, and bridges continue, although the cutting down of the revenue forbids the expenditure of any great amount from current income for these purposes. Steps are being taken, by advertisement for competitive bids, to secure the construction and maintenance of 1,000 miles of railway by private corporations under the recent enabling legislation of the Congress. The transfer

of the friar lands, in accordance with the contract made some two years ago, has been completely effected, and the purchase money paid. Provision has just been made by statute for the speedy settlement in a special proceeding in the Supreme Court of controversies over the possession and title of church buildings and rectories arising between the Roman Catholic Church and schismatics claiming under ancient municipalities. Negotiations and hearings for the settlement of the amount due to the Roman Catholic Church for rent and occupation of churches and rectories by the army of the United States are in progress, and it is hoped a satisfactory conclusion may be submitted to the Congress before the end of the session.

Tranquillity has existed during the past year throughout the Archipelago, except in the Province of Cavite, the Province of Batangas, and the Province of Samar, and in the Island of Jolo among the Moros. The Jolo disturbance was put an end to by several sharp and short engagements, and now peace prevails in the Moro Province. Cavite, the mother of ladrones in the Spanish times, is so permeated with the traditional sympathy of the people for ladronism as to make it difficult to stamp out the disease. Batangas was only disturbed by reason of the fugitive ladrones from Cavite, Samar was thrown into disturbance by the uneducated and partly savage peoples living in the mountains, who, having been given by the municipal code more power than they were able to exercise discreetly, elected municipal officers who abused their trusts, compelled the people raising hemp to sell it at a much less price than it was worth, and by their abuses drove their people into resistance to constituted authority. Cavite and Samar are instances of reposing too much confidence in the self-governing power of a people. The disturbances have all now been suppressed, and it is hoped that with these lessons local governments can be formed which will secure quiet and peace to the deserving inhabitants. The incident is another proof of the fact that if there has been any error as regards giving self-government in the Philippines it has been in the direction of giving it too quickly, not too slowly. A year from next April the first legislative assembly for the islands will be held. On the sanity and self-restraint of this body much will depend so far as the future self-government of the islands is concerned.

The most encouraging feature of the whole situation has been the very great interest taken by the common people in education and the great increase in the number of enrolled students in the public schools. The increase was from 300,000 to half a million pupils. The average attendance is about 70 per cent. The only limit upon the number of pupils seems to be the capacity of the government to furnish teachers and school houses.

The agricultural conditions of the islands enforce more strongly

than ever the argument in favor of reducing the tariff on the products of the Philippine Islands entering the United States. I earnestly recommend that the tariff now imposed by the Dingley bill upon the products of the Philippine Islands be entirely removed, except the tariff on sugar and tobacco, and that that tariff be reduced to 25 per cent. of the present rates under the Dingley act; that after July 1, 1909, the tariff upon tobacco and sugar produced in the Philippine Islands be entirely removed, and that free trade between the islands and the United States in the products of each country then be provided for by law.

A statute in force, enacted April 15, 1904, suspends the operation of the coastwise laws of the United States upon the trade between the Philippine Islands and the United States until July 1, 1906. I earnestly recommend that this suspension be postponed until July 1, 1909. I think it of doubtful utility to apply the coastwise laws to the trade between the United States and the Philippines under any circumstances, because I am convinced that it will do no good whatever to American bottoms, and will only interfere and be an obstacle to the trade between the Philippines and the United States, but if the coastwise law must be thus applied, certainly it ought not to have effect until free trade is enjoyed between the people of the United States and the people of the Philippine Islands in their respective products.

I do not anticipate that free trade between the islands and the United States will produce a revolution in the sugar and tobacco production of the Philippine Islands. So primitive are the methods of agriculture in the Philippine Islands, so slow is capital in going to the islands, so many difficulties surround a large agricultural enterprise in the islands, that it will be many, many years before the products of those islands will have any effect whatever upon the markets of the United States. The problem of labor is also a formidable one with the sugar and tobacco producers in the islands. The best friends of the Filipino people and the people themselves are utterly opposed to the admission of Chinese coolie labor. Hence the only solution is the training of Filipino labor, and this will take a long time. The enactment of a law by the Congress of the United States making provision for free trade between the islands and the United States, however, will be of great importance from a political and sentimental standpoint; and, while its actual benefit has doubtless been exaggerated by the people of the islands, they will accept this measure of justice as an indication that the people of the United States are anxious to aid the people of the Philippine Islands in every way, and especially in the agricultural development of their archipelago. It will aid the Filipinos without injuring interests in America.

In my judgment immediate steps should be taken for the fortification

of Hawaii. This is the most important point in the Pacific to fortify in order to conserve the interests of this country. It would be hard to overstate the importance of this need. Hawaii is too heavily taxed. Laws should be enacted setting aside for a period of, say, twenty years 75 per cent. of the internal revenue and customs receipts from Hawaii as a special fund to be expended in the islands for educational and public buildings, and for harbor improvements and military and naval defenses. It cannot be too often repeated that our aim must be to develop the territory of Hawaii on traditional American lines. That territory has serious commercial and industrial problems to reckon with; but no measure of relief can be considered which looks to legislation admitting Chinese and restricting them by statute to field labor and domestic service. The status of servility can never again be tolerated on American soil. We cannot concede that the proper solution of its problems is special legislation admitting to Hawaii a class of laborers denied admission to the other States and Territories. There are obstacles, and great obstacles, in the way of building up a representative American community in the Hawaiian Islands; but it is not in the American character to give up in the face of difficulty. Many an American Commonwealth has been built up against odds equal to those that now confront Hawaii.

No merely half-hearted effort to meet its problems as other American communities have met theirs can be accepted as final. Hawaii shall never become a territory in which a governing class of rich planters exists by means of coolie labor. Even if the rate of growth of the Territory is thereby rendered slower, the growth must only take place by the admission of immigrants fit in the end to assume the duties and burdens of full American citizenship. Our aim must be to develop the Territory on the same basis of stable citizenship as exists on this continent.

I earnestly advocate the adoption of legislation which will explicitly confer American citizenship on all citizens of Porto Rico. There is, in my judgment, no excuse for failure to do this. The harbor of San Juan should be dredged and improved. The expenses of the Federal Court of Porto Rico should be met from the Federal Treasury and not from the Porto Rican treasury. The elections in Porto Rico should take place every four years, and the Legislature should meet in session every two years. The present form of government in Porto Rico, which provides for the appointment by the President of the members of the Executive Council or upper house of the Legislature, has proved satisfactory and has inspired confidence in property owners and investors. I do not deem it advisable at the present time to change this form in any material feature. The problems and needs of the island are industrial and commercial rather than political.

I wish to call the attention of the Congress to one question which affects our insular possessions generally; namely, the need of an increased liberality in the treatment of the whole franchise question in these islands. In the proper desire to prevent the islands being exploited by speculators and to have them develop in the interests of their own people an error has been made in refusing to grant sufficiently liberal terms to induce the investment of American capital in the Philippines and in Porto Rico. Elsewhere in this message I have spoken strongly against the jealousy of mere wealth, and especially of corporate wealth as such. But it is particularly regrettable to allow any such jealousy to be developed when we are dealing either with our insular or with foreign affairs. The big corporation has achieved its present position in the business world simply because it is the most effective instrument in business competition. In foreign affairs we cannot afford to put our people at a disadvantage with their competitors by in any way discriminating against the efficiency of our business organizations. In the same way we cannot afford to allow our insular possessions to lag behind in industrial development from any twisted jealousy of business success. It is, of course, a mere truism to say that the business interests of the islands will only be developed if it becomes the financial interest of somebody to develop them. Yet this development is one of the things most earnestly to be wished for in the interest of the islands themselves. We have been paying all possible heed to the political and educational interests of the islands, but, important though these objects are, it is not less important that we should favor their industrial development. The Government can in certain ways help this directly, as by building good roads; but the fundamental and vital help must be given through the development of the industries of the islands, and a most efficient means to this end is to encourage big American corporations to start industries in them, and this means to make it advantageous for them to do so. To limit the ownership of mining claims, as has been done in the Philippines, is absurd. In both the Philippines and Porto Rico the limit of holdings of land should be largely raised.

I earnestly ask that Alaska be given an elective delegate. Some person should be chosen who can speak with authority of the needs of the Territory. The Government should aid in the construction of a railroad from the Gulf of Alaska to the Yukon River, in American territory. In my last two messages I advocated certain additional action on behalf of Alaska. I shall not now repeat those recommendations, but I shall lay all my stress upon the one recommendation of giving to Alaska some one authorized to speak for it. I should prefer that the delegate was made elective, but if this is not deemed wise, then make him appointive. At any rate, give Alaska some person whose

business it shall be to speak with authority on her behalf to the Congress. The natural resources of Alaska are great. Some of the chief needs of the peculiarly energetic, self-reliant, and typically American white population of Alaska were set forth in my last message. I also earnestly ask your attention to the needs of the Alaskan Indians. All Indians who are competent should receive the full rights of American citizenship. It is, for instance, a gross and indefensible wrong to deny to such hard-working, decent-living Indians as the Metlakahtlas the right to obtain licenses as captains, pilots, and engineers; the right to enter mining claims, and to profit by the homestead law. These particular Indians are civilized and are competent and entitled to be put on the same basis with the white men round about them.

I recommend that Indian Territory and Oklahoma be admitted as one State and that New Mexico and Arizona be admitted as one State. There is no obligation upon us to treat territorial subdivisions, which are matters of convenience only, as binding us on the question of admission to Statehood. Nothing has taken up more time in the Congress during the past few years than the question as to the Statehood to be granted to the four Territories above mentioned, and after careful consideration of all that has been developed in the discussions of the question, I recommend that they be immediately admitted as two States. There is no justification for further delay; and the advisability of making the four Territories into two States has been clearly established.

In some of the Territories the legislative assemblies issue licenses for gambling. The Congress should by law forbid this practice, the harmful results of which are obvious at a glance.

The treaty between the United States and the Republic of Panama, under which the construction of the Panama Canal was made possible, went into effect with its ratification by the United States Senate on February 23, 1904. The canal properties of the French Canal Company were transferred to the United States on April 23, 1904, on payment of \$40,000,000 to that company. On April 1, 1905, the Commission was reorganized, and it now consists of Theodore P. Shonts, Chairman; Charles E. Magoon, Benjamin M. Harrod, Rear Admiral Mordecai T. Endicott, Brig. Gen. Peter C. Hains, and Col. Oswald H. Ernst. John F. Stevens was appointed Chief Engineer on July 1 last. Active work in canal construction, mainly preparatory, has been in progress for less than a year and a half. During that period two points about the canal have ceased to be open to debate: First, the question of route; the canal will be built on the Isthmus of Panama. Second, the question of feasibility; there are no physical obstacles on this route that American engineering skill will not be able to overcome without serious difficulty, or that will prevent the completion

of the canal within a reasonable time and at a reasonable cost. This is virtually the unanimous testimony of the engineers who have investigated the matter for the Government.

The point which remains unsettled is the question of type, whether the canal shall be one of several locks above sea level, or at sea level with a single tide lock. On this point I hope to lay before the Congress at an early day the findings of the Advisory Board of American and European Engineers, that at my invitation have been considering the subject, together with the report of the Commission thereon, and such comments thereon or recommendations in reference thereto as may seem necessary.

The American people is pledged to the speediest possible construction of a canal adequate to meet the demands which the commerce of the world will make upon it, and I appeal most earnestly to the Congress to aid in the fulfillment of the pledge. Gratifying progress has been made during the past year, and especially during the past four months. The greater part of the necessary preliminary work has been done. Actual work of excavation could be begun only on a limited scale till the Canal Zone was made a healthful place to live in and to work in. The Isthmus had to be sanitated first. This task has been so thoroughly accomplished that yellow fever has been virtually extirpated from the Isthmus and general health conditions vastly improved. The same methods which converted the island of Cuba from a pest hole, which menaced the health of the world, into a healthful place of abode, have been applied on the Isthmus with satisfactory results. There is no reason to doubt that when the plans for water supply, paving, and sewerage of Panama and Colon and the large labor camps have been fully carried out, the Isthmus will be, for the tropics, an unusually healthy place of abode. The work is so far advanced now that the health of all those employed in canal work is as well guarded as it is on similar work in this country and elsewhere.

In addition to sanitating the Isthmus, satisfactory quarters are being provided for employes and an adequate system of supplying them with wholesome food at reasonable prices has been created. Hospitals have been established and equipped that are without their superiors of their kind anywhere. The country has thus been made fit to work in, and provision has been made for the welfare and comfort of those who are to do the work. During the past year a large portion of the plant with which the work is to be done has been ordered. It is confidently believed that by the middle of the approaching year a sufficient proportion of this plant will have been installed to enable us to resume the work of excavation on a large scale.

What is needed now and without delay is an appropriation by the Congress to meet the current and accruing expenses of the commis-

sion. The first appropriation of \$10,000,000, out of the \$135,000,000 authorized by the Spooner act, was made three years ago. It is nearly exhausted. There is barely enough of it remaining to carry the commission to the end of the year. Unless the Congress shall appropriate before that time all work must cease. To arrest progress for any length of time now, when matters are advancing so satisfactorily, would be deplorable. There will be no money with which to meet pay roll obligations and none with which to meet bills coming due for materials and supplies; and there will be demoralization of the forces, here and on the Isthmus, now working so harmoniously and effectively, if there is delay in granting an emergency appropriation. Estimates of the amount necessary will be found in the accompanying reports of the Secretary of War and the commission.

I recommend more adequate provision than has been made heretofore for the work of the Department of State. Within a few years there has been a very great increase in the amount and importance of the work to be done by that department, both in Washington and abroad. This has been caused by the great increase of our foreign trade, the increase of wealth among our people, which enables them to travel more generally than heretofore, the increase of American capital which is seeking investment in foreign countries, and the growth of our power and weight in the councils of the civilized world. There has been no corresponding increase of facilities for doing the work afforded to the department having charge of our foreign relations.

Neither at home nor abroad is there a sufficient working force to do the business properly. In many respects the system which was adequate to the work of twenty-five years or even ten years ago, is inadequate now, and should be changed. Our Consular force should be classified, and appointments should be made to the several classes, with authority to the Executive to assign the members of each class to duty at such posts as the interests of the service require, instead of the appointments being made as at present to specified posts. There should be an adequate inspection service, so that the department may be able to inform itself how the business of each Consulate is being done, instead of depending upon casual private information or rumor. The fee system should be entirely abolished, and a due equivalent made in salary to the officers who now eke out their subsistence by means of fees. Sufficient provision should be made for a clerical force in every Consulate, composed entirely of Americans, instead of the insufficient provision now made, which compels the employment of great numbers of citizens of foreign countries whose services can be obtained for less money. At a large part of our Consulates the office quarters and the clerical force are inadequate to the performance of

the onerous duties imposed by the recent provisions of our immigration laws as well as by our increasing trade. In many parts of the world the lack of suitable quarters for our embassies, legations, and Consulates detracts from the respect in which our officers ought to be held, and seriously impairs their weight and influence.

Suitable provision should be made for the expense of keeping our diplomatic officers more fully informed of what is being done from day to day in the progress of our diplomatic affairs with other countries. The lack of such information, caused by insufficient appropriations available for cable tolls and for clerical and messenger service, frequently puts our officers at a great disadvantage and detracts from their usefulness. The salary list should be readjusted. It does not now correspond either to the importance of the service to be rendered and the degrees of ability and experience required in the different positions, or to the differences in the cost of living. In many cases the salaries are quite inadequate.

THEODORE ROOSEVELT.

SIXTH ANNUAL MESSAGE.

WHITE HOUSE, Dec. 3, 1906.

To the Senate and House of Representatives:

As a nation we still continue to enjoy a literally unprecedented prosperity; and it is probable that only reckless speculation and disregard of legitimate business methods on the part of the business world can materially mar this prosperity.

No Congress in our time has done more good work of importance than the present Congress. There were several matters left unfinished at your last session, however, which I most earnestly hope you will complete before your adjournment.

I again recommend a law prohibiting all corporations from contributing to the campaign expenses of any party. Such a bill has already past one House of Congress. Let individuals contribute as they desire; but let us prohibit in effective fashion all corporations from making contributions for any political purpose, directly or indirectly.

Another bill which has just past one House of the Congress and which it is urgently necessary should be enacted into law is that conferring upon the Government the right of appeal in criminal cases on questions of law. This right exists in many of the States; it exists in the District of Columbia by act of the Congress. It is of course not proposed that in any case a verdict for the defendant on the merits

should be set aside. Recently in one district where the Government had indicted certain persons for conspiracy in connection with rebates, the court sustained the defendant's demurrer; while in another jurisdiction an indictment for conspiracy to obtain rebates has been sustained by the court, convictions obtained under it, and two defendants sentenced to imprisonment. The two cases referred to may not be in real conflict with each other, but it is unfortunate that there should even be an apparent conflict. At present there is no way by which the Government can cause such a conflict, when it occurs, to be solved by an appeal to a higher court; and the wheels of justice are blocked without any real decision of the question. I can not too strongly urge the passage of the bill in question. A failure to pass it will result in seriously hampering the Government in its effort to obtain justice, especially against wealthy individuals or corporations who do wrong; and may also prevent the Government from obtaining justice for wage-workers who are not themselves able effectively to contest a case where the judgment of an inferior court has been against them. I have specifically in view a recent decision by a district judge leaving railway employees without remedy for violation of a certain so-called labor statute. It seems an absurdity to permit a single district judge, against what may be the judgment of the immense majority of his colleagues on the bench, to declare a law solemnly enacted by the Congress to be "unconstitutional," and then to deny to the Government the right to have the Supreme Court definitely decide the question.

It is well to recollect that the real efficiency of the law often depends not upon the passage of acts as to which there is great public excitement, but upon the passage of acts of this nature as to which there is not much public excitement, because there is little public understanding of their importance, while the interested parties are keenly alive to the desirability of defeating them. The importance of enacting into law the particular bill in question is further increased by the fact that the Government has now definitely begun a policy of resorting to the criminal law in those trust and interstate commerce cases where such a course offers a reasonable chance of success. At first, as was proper, every effort was made to enforce these laws by civil proceedings; but it has become increasingly evident that the action of the Government in finally deciding, in certain cases, to undertake criminal proceedings was justifiable; and tho there have been some conspicuous failures in these cases, we have had many successes, which have undoubtedly had a deterrent effect upon evil-doers, whether the penalty inflicted was in the shape of fine or imprisonment—and penalties of both kinds have already been inflicted by the courts. Of course, where the judge can see his way to inflict the penalty of imprisonment the deterrent effect of the punishment on other offenders is increased; but sufficiently

heavy fines accomplish much. Judge Holt, of the New York district court, in a recent decision admirably stated the need for treating with just severity offenders of this kind. His opinion runs in part as follows:

'The Government's evidence to establish the defendant's guilt was clear, conclusive, and undisputed. The case was a flagrant one. The transactions which took place under this illegal contract were very large; the amounts of rebates returned were considerable; and the amount of the rebate itself was large, amounting to more than one-fifth of the entire tariff charge for the transportation of merchandise from this city to Detroit. It is not too much to say, in my opinion, that if this business was carried on for a considerable time on that basis—that is, if this discrimination in favor of this particular shipper was made with an 18 instead of a 23 cent rate and the tariff rate was maintained as against their competitors—the result might be and not improbably would be that their competitors would be driven out of business. This crime is one which in its nature is deliberate and premeditated. I think over a fortnight elapsed between the date of Palmer's letter requesting the reduced rate and the answer of the railroad company deciding to grant it, and then for months afterwards this business was carried on and these claims for rebates submitted month after month and checks in payment of them drawn month after month. Such a violation of the law, in my opinion, in its essential nature, is a very much more heinous act than the ordinary common, vulgar crimes which come before criminal courts constantly for punishment and which arise from sudden passion or temptation. This crime in this case was committed by men of education and of large business experience, whose standing in the community was such that they might have been expected to set an example of obedience to law, upon the maintenance of which alone in this country the security of their property depends. It was committed on behalf of a great railroad corporation, which, like other railroad corporations, has received gratuitously from the State large and valuable privileges for the public's convenience and its own, which performs quasi public functions and which is charged with the highest obligation in the transaction of its business to treat the citizens of this country alike, and not to carry on its business with unjust discriminations between different citizens or different classes of citizens. This crime in its nature is one usually done with secrecy, and proof of which it is very difficult to obtain. The interstate commerce act was past in 1887, nearly twenty years ago. Ever since that time complaints of the granting of rebates by railroads have been common, urgent, and insistent, and altho the Congress has repeatedly past legislation endeavoring to put a stop to this evil, the difficulty of obtaining proof upon which to bring prosecution in these cases is so great that this is the

first case that has ever been brought in this court, and, as I am informed, this case and one recently brought in Philadelphia are the only cases that have ever been brought in the eastern part of this country. In fact, but few cases of this kind have ever been brought in this country, East or West. Now, under these circumstances, I am forced to the conclusion, in a case in which the proof is so clear and the facts are so flagrant, it is the duty of the court to fix a penalty which shall in some degree be commensurate with the gravity of the offense. As between the two defendants, in my opinion, the principal penalty should be imposed on the corporation. The traffic manager in this case, presumably, acted without any advantage to himself and without any interest in the transaction, either by the direct authority or in accordance with what he understood to be the policy or the wishes of his employer.

"The sentence of this court in this case is, that the defendant Pomeroy, for each of the six offenses upon which he has been convicted, be fined the sum of \$1,000, making six fines, amounting in all to the sum of \$6,000; and the defendant, The New York Central and Hudson River Railroad Company, for each of the six crimes of which it has been convicted, be fined the sum of \$18,000, making six fines amounting in the aggregate to the sum of \$108,000, and judgment to that effect will be entered in this case."

In connection with this matter, I would like to call attention to the very unsatisfactory state of our criminal law, resulting in large part from the habit of setting aside the judgments of inferior courts or technicalities absolutely unconnected with the merits of the case, and where there is no attempt to show that there has been any failure of substantial justice. It would be well to enact a law providing something to the effect that:

No judgment shall be set aside or new trial granted in any cause, civil or criminal, on the ground of misdirection of the jury or the improper admission or rejection of evidence, or for error as to any matter of pleading or procedure unless, in the opinion of the court to which the application is made, after an examination of the entire cause, it shall affirmatively appear that the error complained of has resulted in a miscarriage of justice.

In my last message I suggested the enactment of a law in connection with the issuance of injunctions, attention having been sharply drawn to the matter by the demand that the right of applying injunctions in labor cases should be wholly abolished. It is at least doubtful whether a law abolishing altogether the use of injunctions in such cases would stand the test of the courts; in which case of course the legislation would be ineffective. Moreover, I believe it would be wrong altogether to prohibit the use of injunctions. It is criminal to permit sym-

pathy for criminals to weaken our hands in upholding the law; and if men seek to destroy life or property by mob violence there should be no impairment of the power of the courts to deal with them in the most summary and effective way possible. But so far as possible the abuse of the power should be provided against by some such law as I advocated last year.

In this matter of injunctions there is lodged in the hands of the judiciary a necessary power which is nevertheless subject to the possibility of grave abuse. It is a power that should be exercised with extreme care and should be subject to the jealous scrutiny of all men, and condemnation should be meted out as much to the judge who fails to use it boldly when necessary as to the judge who uses it wantonly or oppressively. Of course a judge strong enough to be fit for his office will enjoin any resort to violence or intimidation, especially by conspiracy, no matter what his opinion may be of the rights of the original quarrel. There must be no hesitation in dealing with disorder. But there must likewise be no such abuse of the injunctive power as is implied in forbidding laboring men to strive for their own betterment in peaceful and lawful ways; nor must the injunction be used merely to aid some big corporation in carrying out schemes for its own aggrandizement. It must be remembered that a preliminary injunction in a labor case, if granted without adequate proof (even when authority can be found to support the conclusions of law on which it is founded), may often settle the dispute between the parties; and therefore if improperly granted may do irreparable wrong. Yet there are many judges who assume a matter-of-course granting of a preliminary injunction to be the ordinary and proper judicial disposition of such cases; and there have undoubtedly been flagrant wrongs committed by judges in connection with labor disputes even within the last few years, altho I think much less often than in former years. Such judges by their unwise action immensely strengthen the hands of those who are striving entirely to do away with the power of injunction; and therefore such careless use of the injunctive process tends to threaten its very existence, for if the American people ever become convinced that this process is habitually abused, whether in matters affecting labor or in matters affecting corporations, it will be well-nigh impossible to prevent its abolition.

It may be the highest duty of a judge at any given moment to disregard, not merely the wishes of individuals of great political or financial power, but the overwhelming tide of public sentiment; and the judge who does thus disregard public sentiment when it is wrong, who brushes aside the plea of any special interest when the pleading is not founded on righteousness, performs the highest service to the country. Such a judge is deserving of all honor; and all honor can not be paid

to this wise and fearless judge if we permit the growth of an absurd convention which would forbid any criticism of the judge of another type, who shows himself timid in the presence of arrogant disorder, or who on insufficient grounds grants an injunction that does grave injustice, or who in his capacity as a construer, and therefore in part a maker, of the law, in flagrant fashion thwarts the cause of decent government. The judge has a power over which no review can be exercised; he himself sits in review upon the acts of both the executive and legislative branches of the Government; save in the most extraordinary cases he is amenable only at the bar of public opinion; and it is unwise to maintain that public opinion in reference to a man with such power shall neither be expressed nor led.

The best judges have ever been foremost to disclaim any immunity from criticism. This has been true since the days of the great English Lord Chancellor Parker, who said: "Let all people be at liberty to know what I found my judgment upon; that, so when I have given it in any cause, others may be at liberty to judge of *me*." The proprieties of the case were set forth with singular clearness and good temper by Judge W. H. Taft, when a United States circuit judge, eleven years ago, in 1895:

"The opportunity freely and publicly to criticize judicial action is of vastly more importance to the body politic than the immunity of courts and judges from unjust aspersions and attack. Nothing tends more to render judges careful in their decisions and anxiously solicitous to do exact justice than the consciousness that every act of theirs is to be subjected to the intelligent scrutiny and candid criticism of their fellow-men. Such criticism is beneficial in proportion as it is fair, dispassionate, discriminating, and based on a knowledge of sound legal principles. The comments made by learned text writers and by the acute editors of the various law reviews upon judicial decisions are therefore highly useful. Such critics constitute more or less impartial tribunals of professional opinion before which each judgment is made to stand or fall on its merits, and thus exert a strong influence to secure uniformity of decision. But non-professional criticism also is by no means without its uses, even if accompanied, as it often is, by a direct attack upon the judicial fairness and motives of the occupants of the bench; for if the law is but the essence of common sense, the protest of many average men may evidence a defect in a judicial conclusion, tho based on the nicest legal reasoning and profoundest learning. The two important elements of moral character in a judge are an earnest desire to reach a just conclusion and courage to enforce it. In so far as fear of public comment does not affect the courage of a judge, but only spurs him on to search his conscience and to reach the result which approves itself to his inmost heart such comment serves a useful pur-

pose. There are few men, whether they are judges for life or for a shorter term, who do not prefer to earn and hold the respect of all, and who can not be reached and made to pause and deliberate by hostile public criticism. In the case of judges having a life tenure, indeed, their very independence makes the right freely to comment on their decisions of greater importance, because it is the only practical and available instrument in the hands of a free people to keep such judges alive to the reasonable demands of those they serve.

"On the other hand, the danger of destroying the proper influence of judicial decisions by creating unfounded prejudices against the courts justifies and requires that unjust attacks shall be met and answered. Courts must ultimately rest their defense upon the inherent strength of the opinions they deliver as the ground for their conclusions and must trust to the calm and deliberate judgment of all the people as their best vindication."

There is one consideration which should be taken into account by the good people who carry a sound proposition to an excess in objecting to any criticism of a judge's decision. The instinct of the American people as a whole is sound in this matter. They will not subscribe to the doctrine that any public servant is to be above all criticism. If the best citizens, those most competent to express their judgment in such matters, and above all those belonging to the great and honorable profession of the bar, so profoundly influential in American life, take the position that there shall be no criticism of a judge under any circumstances, their view will not be accepted by the American people as a whole. In such event the people will turn to, and tend to accept as justifiable, the intemperate and improper criticism uttered by unworthy agitators. Surely it is a misfortune to leave to such critics a function, right, in itself, which they are certain to abuse. Just and temperate criticism, when necessary, is a safeguard against the acceptance by the people as a whole of that intemperate antagonism towards the judiciary which must be combated by every right-thinking man, and which, if it became widespread among the people at large, would constitute a dire menace to the Republic.

In connection with the delays of the law, I call your attention and the attention of the Nation to the prevalence of crime among us, and above all to the epidemic of lynching and mob violence that springs up, now in one part of our country, now in another. Each section, North, South, East, or West, has its own faults; no section can with wisdom spend its time jeering at the faults of another section; it should be busy trying to amend its own shortcomings. To deal with the crime of corruption it is necessary to have an awakened public conscience, and to supplement this by whatever legislation will add speed and certainty in the execution of the law. When we deal with lynching even more is

necessary. A great many white men are lynched, but the crime is peculiarly frequent in respect to black men. The greatest existing cause of lynching is the perpetration, especially by black men, of the hideous crime of rape—the most abominable in all the category of crimes, even worse than murder. Mobs frequently avenge the commission of this crime by themselves torturing to death the man committing it; thus avenging in bestial fashion a bestial deed, and reducing themselves to a level with the criminal.

Lawlessness grows by what it feeds upon; and when mobs begin to lynch for rape they speedily extend the sphere of their operations and lynch for many other kinds of crimes, so that two-thirds of the lynchings are not for rape at all; while a considerable proportion of the individuals lynched are innocent of all crime. Governor Candler, of Georgia, stated on one occasion some years ago: "I can say of a verity that I have, within the last month, saved the lives of half a dozen innocent negroes who were pursued by the mob, and brought them to trial in a court of law in which they were acquitted." As Bishop Galloway, of Mississippi, has finely said: "When the rule of a mob obtains, that which distinguishes a high civilization is surrendered. The mob which lynches a negro charged with rape will in a little while lynch a white man suspected of crime. Every Christian patriot in America needs to lift up his voice in loud and eternal protest against the mob spirit that is threatening the integrity of this Republic." Governor Jelks, of Alabama, has recently spoken as follows: "The lynching of any person for whatever crime is inexcusable anywhere—it is a defiance of orderly government; but the killing of innocent people under any provocation is infinitely more horrible; and yet innocent people are likely to die when a mob's terrible lust is once aroused. The lesson is this: No good citizen can afford to countenance a defiance of the statutes, no matter what the provocation. The innocent frequently suffer, and, it is my observation, more usually suffer than the guilty. The white people of the South indict the whole colored race on the ground that even the better elements lend no assistance whatever in ferreting out criminals of their own color. The respectable colored people must learn not to harbor their criminals, but to assist the officers in bringing them to justice. This is the larger crime, and it provokes such atrocious offenses as the one at Atlanta. The two races can never get on until there is an understanding on the part of both to make common cause with the law-abiding against criminals of any color."

Moreover, where any crime committed by a member of one race against a member of another race is avenged in such fashion that it seems as if not the individual criminal, but the whole race, is attacked, the result is to exasperate to the highest degree race feeling. There

is but one safe rule in dealing with black men as with white men; it is the same rule that must be applied in dealing with rich men and poor men; that is, to treat each man, whatever his color, his creed, or his social position, with even-handed justice on his real worth as a man. White people owe it quite as much to themselves as to the colored race to treat well the colored man who shows by his life that he deserves such treatment; for it is surely the highest wisdom to encourage in the colored race all those individuals who are honest, industrious, law-abiding, and who therefore make good and safe neighbors and citizens. Reward or punish the individual on his merits as an individual. Evil will surely come in the end to both races if we substitute for this just rule the habit of treating all the members of the race, good and bad, alike. There is no question of "social equality" or "negro domination" involved; only the question of relentlessly punishing bad men, and of securing to the good man the right to his life, his liberty, and the pursuit of his happiness as his own qualities of heart, head, and hand enable him to achieve it.

Every colored man should realize that the worst enemy of his race is the negro criminal, and above all the negro criminal who commits the dreadful crime of rape; and it should be felt as in the highest degree an offense against the whole country, and against the colored race in particular, for a colored man to fail to help the officers of the law in hunting down with all possible earnestness and zeal every such infamous offender. Moreover, in my judgment, the crime of rape should always be punished with death, as is the case with murder; assault with intent to commit rape should be made a capital crime, at least in the discretion of the court; and provision should be made by which the punishment may follow immediately upon the heels of the offense; while the trial should be so conducted that the victim need not be wantonly shamed while giving testimony, and that the least possible publicity shall be given to the details.

The members of the white race on the other hand should understand that every lynching represents by just so much a loosening of the bands of civilization; that the spirit of lynching inevitably throws into prominence in the community all the foul and evil creatures who dwell therein. No man can take part in the torture of a human being without having his own moral nature permanently lowered. Every lynching means just so much moral deterioration in all the children who have any knowledge of it, and therefore just so much additional trouble for the next generation of Americans.

Let justice be both sure and swift; but let it be justice under the law, and not the wild and crooked savagery of a mob.

There is another matter which has a direct bearing upon this matter of lynching and of the brutal crime which sometimes calls it forth and

at other times merely furnishes the excuse for its existence. It is out of the question for our people as a whole permanently to rise by treading down any of their own number. Even those who themselves for the moment profit by such maltreatment of their fellows will in the long run also suffer. No more shortsighted policy can be imagined than, in the fancied interest of one class, to prevent the education of another class. The free public school, the chance for each boy or girl to get a good elementary education, lies at the foundation of our whole political situation. In every community the poorest citizens, those who need the schools most, would be deprived of them if they only received school facilities proportioned to the taxes they paid. This is as true of one portion of our country as of another. It is as true for the negro as for the white man. The white man, if he is wise, will decline to allow the negroes in a mass to grow to manhood and womanhood without education. Unquestionably education such as is obtained in our public schools does not do everything towards making a man a good citizen; but it does much. The lowest and most brutal criminals, those for instance who commit the crime of rape, are in the great majority men who have had either no education or very little; just as they are almost invariably men who own no property; for the man who puts money by out of his earnings, like the man who acquires education, is usually lifted above mere brutal criminality. Of course the best type of education for the colored man, taken as a whole, is such education as is conferred in schools like Hampton and Tuskegee; where the boys and girls, the young men and young women, are trained industrially as well as in the ordinary public school branches. The graduates of these schools turn out well in the great majority of cases, and hardly any of them become criminals, while what little criminality there is never takes the form of that brutal violence which invites lynch law. Every graduate of these schools—and for the matter of that every other colored man or woman—who leads a life so useful and honorable as to win the good will and respect of those whites whose neighbor he or she is, thereby helps the whole colored race as it can be helped in no other way; for next to the negro himself, the man who can do most to help the negro is his white neighbor who lives near him; and our steady effort should be to better the relations between the two. Great tho the benefit of these schools has been to their colored pupils and to the colored people, it may well be questioned whether the benefit has not been at least as great to the white people among whom these colored pupils live after they graduate.

Be it remembered, furthermore, that the individuals who, whether from folly, from evil temper, from greed for office, or in a spirit of mere base demagoguery, indulge in the inflammatory and incendiary speeches and writings which tend to arouse mobs and to bring about

lynching, not only thus excite the mob, but also tend by what criminologists call "suggestion," greatly to increase the likelihood of a repetition of the very crime against which they are inveighing. When the mob is composed of the people of one race and the man lynched is of another race, the men who in their speeches and writings either excite or justify the action tend, of course, to excite a bitter race feeling and to cause the people of the opposite race to lose sight of the abominable act of the criminal himself; and in addition, by the prominence they give to the hideous deed they undoubtedly tend to excite in other brutal and depraved natures thoughts of committing it. Swift, relentless, and orderly punishment under the law is the only way by which criminality of this type can permanently be suppressed.

In dealing with both labor and capital, with the questions affecting both corporations and trades unions, there is one matter more important to remember than aught else, and that is the infinite harm done by preachers of mere discontent. These are the men who seek to excite a violent class hatred against all men of wealth. They seek to turn wise and proper movements for the better control of corporations and for doing away with the abuses connected with wealth, into a campaign of hysterical excitement and falsehood in which the aim is to inflame to madness the brutal passions of mankind. The sinister demagogues and foolish visionaries who are always eager to undertake such a campaign of destruction sometimes seek to associate themselves with those working for a genuine reform in governmental and social methods, and sometimes masquerade as such reformers. In reality they are the worst enemies of the cause they profess to advocate, just as the purveyors of sensational slander in newspaper or magazine are the worst enemies of all men who are engaged in an honest effort to better what is bad in our social and governmental conditions. To preach hatred of the rich man as such, to carry on a campaign of slander and invective against him, to seek to mislead and inflame to madness honest men whose lives are hard and who have not the kind of mental training which will permit them to appreciate the danger in the doctrines preached—all this is to commit a crime against the body politic and to be false to every worthy principle and tradition of American national life. Moreover, while such preaching and such agitation may give a livelihood and a certain notoriety to some of those who take part in it, and may result in the temporary political success of others, in the long run every such movement will either fail or else will provoke a violent reaction, which will itself result not merely in undoing the mischief wrought by the demagogue and the agitator, but also in undoing the good that the honest reformer, the true upholder of popular rights, has painfully and laboriously achieved. Corruption is never so rife as in communities where the demagogue and the agitator bear full sway,

because in such communities all moral bands become loosened, and hysteria and sensationalism replace the spirit of sound judgment and fair dealing as between man and man.. In sheer revolt against the squalid anarchy thus produced men are sure in the end to turn toward any leader who can restore order, and then their relief at being free from the intolerable burdens of class hatred, violence, and demagoguery is such that they can not for some time be aroused to indignation against misdeeds by men of wealth; so that they permit a new growth of the very abuses which were in part responsible for the original outbreak. The one hope for success for our people lies in a resolute and fearless, but sane and cool-headed, advance along the path marked out last year by this very Congress. There must be a stern refusal to be misled into following either that base creature who appeals and panders to the lowest instincts and passions in order to arouse one set of Americans against their fellows, or that other creature, equally base but no baser, who in a spirit of greed, or to accumulate or add to an already huge fortune, seeks to exploit his fellow-Americans with callous disregard to their welfare of soul and body. The man who debauches others in order to obtain a high office stands on an evil equality of corruption with the man who debauches others for financial profit; and when hatred is sown the crop which springs up can only be evil.

The plain people who think—the mechanics, farmers, merchants, workers with head or hand, the men to whom American traditions are dear, who love their country and try to act decently by their neighbors, owe it to themselves to remember that the most damaging blow that can be given popular government is to elect an unworthy and sinister agitator on a platform of violence and hypocrisy. Whenever such an issue is raised in this country nothing can be gained by flinching from it, for in such case democracy is itself on trial, popular self-government under republican forms is itself on trial. The triumph of the mob is just as evil a thing as the triumph of the plutocracy, and to have escaped one danger avails nothing whatever if we succumb to the other. In the end the honest man, whether rich or poor, who earns his own living and tries to deal justly by his fellows, has as much to fear from the insincere and unworthy demagogue, promising much and performing nothing, or else performing nothing but evil, who would set on the mob to plunder the rich, as from the crafty corruptionist, who, for his own ends, would permit the common people to be exploited by the very wealthy. If we ever let this Government fall into the hands of men of either of these two classes, we shall show ourselves false to America's past. Moreover, the demagogue and the corruptionist often work hand in hand. There are at this moment wealthy reactionaries of such obtuse morality that they regard the public servant who prosecutes them when they violate the law, or who seeks to make them bear their

proper share of the public burdens, as being even more objectionable than the violent agitator who hounds on the mob to plunder the rich. There is nothing to choose between such a reactionary and such an agitator; fundamentally they are alike in their selfish disregard of the rights of others; and it is natural that they should join in opposition to any movement of which the aim is fearlessly to do exact and even justice to all.

I call your attention to the need of passing the bill limiting the number of hours of employment of railroad employees. The measure is a very moderate one and I can conceive of no serious objection to it. Indeed, so far as it is in our power, it should be our aim steadily to reduce the number of hours of labor, with as a goal the general introduction of an eight-hour day. There are industries in which it is not possible that the hours of labor should be reduced; just as there are communities not far enough advanced for such a movement to be for their good, or, if in the Tropics, so situated that there is no analogy between their needs and ours in this matter. On the Isthmus of Panama, for instance, the conditions are in every way so different from what they are here that an eight-hour day would be absurd; just as it is absurd, so far as the Isthmus is concerned, where white labor can not be employed, to bother as to whether the necessary work is done by alien black men or by alien yellow men. But the wageworkers of the United States are of so high a grade that alike from the merely industrial standpoint and from the civic standpoint it should be our object to do what we can in the direction of securing the general observance of an eight-hour day. Until recently the eight-hour law on our Federal statute books has been very scantily observed. Now, however, largely thru the instrumentality of the Bureau of Labor, it is being rigidly enforced, and I shall speedily be able to say whether or not there is need of further legislation in reference thereto; for our purpose is to see it obeyed in spirit no less than in letter. Half holidays during summer should be established for Government employees; it is as desirable for wageworkers who toil with their hands as for salaried officials whose labor is mental that there should be a reasonable amount of holiday.

The Congress at its last session wisely provided for a truant court for the District of Columbia; a marked step in advance on the path of properly caring for the children. Let me again urge that the Congress provide for a thoro investigation of the conditions of child labor and of the labor of women in the United States. More and more our people are growing to recognize the fact that the questions which are not merely of industrial but of social importance outweigh all others; and these two questions most emphatically come in the category of those which affect in the most far-reaching way the home life of the Nation. The

horrors incident to the employment of young children in factories or at work anywhere are a blot on our civilization. It is true that each State must ultimately settle the question in its own way; but a thoro official investigation of the matter, with the results published broadcast, would greatly help toward arousing the public conscience and securing unity of State action in the matter. There is, however, one law on the subject which should be enacted immediately, because there is no need for an investigation in reference thereto, and the failure to enact it is discreditable to the National Government. A drastic and thorogoining child-labor law should be enacted for the District of Columbia and the Territories.

Among the excellent laws which the Congress past at the last session was an employers' liability law. It was a marked step in advance to get the recognition of employers' liability on the statute books; but the law did not go far enough. In spite of all precautions exercised by employers there are unavoidable accidents and even deaths involved in nearly every line of business connected with the mechanic arts. This inevitable sacrifice of life may be reduced to a minimum, but it can not be completely eliminated. It is a great social injustice to compel the employee, or rather the family of the killed or disabled victim, to bear the entire burden of such an inevitable sacrifice. In other words, society shirks its duty by laying the whole cost on the victim, whereas the injury comes from what may be called the legitimate risks of the trade. Compensation for accidents or deaths due in any line of industry to the actual conditions under which that industry is carried on, should be paid by that portion of the community for the benefit of which the industry is carried on—that is, by those who profit by the industry. If the entire trade risk is placed upon the employer he will promptly and properly add it to the legitimate cost of production and assess it proportionately upon the consumers of his commodity. It is therefore clear to my mind that the law should place this entire "risk of a trade" upon the employer. Neither the Federal law, nor, as far as I am informed, the State laws dealing with the question of employers' liability are sufficiently thorogoining. The Federal law should of course include employees in navy-yards, arsenals, and the like.

The commission appointed by the President October 16, 1902, at the request of both the anthracite coal operators and miners, to inquire into, consider, and pass upon the questions in controversy in connection with the strike in the anthracite regions of Pennsylvania and the causes out of which the controversy arose, in their report, findings, and award express the belief "that the State and Federal governments should provide the machinery for what may be called the compulsory investigation of controversies between employers and employees when they arise." This expression of belief is deserving of the favorable consid-

eration of the Congress and the enactment of its provisions into law. A bill has already been introduced to this end.

Records show that during the twenty years from January 1, 1881, to December 31, 1900, there were strikes affecting 117,509 establishments, and 6,105,694 employees were thrown out of employment. During the same period there were 1,005 lockouts, involving nearly 10,000 establishments, throwing over one million people out of employment. These strikes and lockouts involved an estimated loss to employees of \$307,000,000 and to employers of \$143,000,000, a total of \$450,000,000. The public suffered directly and indirectly probably as great additional loss. But the money loss, great as it was, did not measure the anguish and suffering endured by the wives and children of employees whose pay stopt when their work stopt, or the disastrous effect of the strike or lockout upon the business of employers, or the increase in the cost of products and the inconvenience and loss to the public.

Many of these strikes and lockouts would not have occurred had the parties to the dispute been required to appear before an unprejudiced body representing the nation and, face to face, state the reasons for their contention. In most instances the dispute would doubtless be found to be due to a misunderstanding by each of the other's rights, aggravated by an unwillingness of either party to accept as true the statements of the other as to the justice or injustice of the matters in dispute. The exercise of a judicial spirit by a disinterested body representing the Federal Government, such as would be provided by a commission on conciliation and arbitration, would tend to create an atmosphere of friendliness and conciliation between contending parties; and the giving each side an equal opportunity to present fully its case in the presence of the other would prevent many disputes from developing into serious strikes or lockouts, and, in other cases, would enable the commission to persuade the opposing parties to come to terms.

In this age of great corporate and labor combinations, neither employers nor employees should be left completely at the mercy of the stronger party to a dispute, regardless of the righteousness of their respective claims. The proposed measure would be in the line of securing recognition of the fact that in many strikes the public has itself an interest which can not wisely be disregarded; an interest not merely of general convenience, for the question of a just and proper public policy must also be considered. In all legislation of this kind it is well to advance cautiously, testing each step by the actual results; the step proposed can surely be safely taken, for the decisions of the commission would not bind the parties in legal fashion, and yet would give a chance for public opinion to crystallize and thus to exert its full force for the right.

It is not wise that the Nation should alienate its remaining coal lands. I have temporarily withdrawn from settlement all the lands which the Geological Survey has indicated as containing, or in all probability containing, coal. The question, however, can be properly settled only by legislation, which in my judgment should provide for the withdrawal of these lands from sale or from entry, save in certain especial circumstances. The ownership would then remain in the United States, which should not, however, attempt to work them, but permit them to be worked by private individuals under a royalty system, the Government keeping such control as to permit it to see that no excessive price was charged consumers. It would, of course, be as necessary to supervise the rates charged by the common carriers to transport the product as the rates charged by those who mine it; and the supervision must extend to the conduct of the common carriers, so that they shall in no way favor one competitor at the expense of another. The withdrawal of these coal lands would constitute a policy analogous to that which has been followed in withdrawing the forest lands from ordinary settlement. The coal, like the forests, should be treated as the property of the public and its disposal should be under conditions which would inure to the benefit of the public as a whole.

The present Congress has taken long strides in the direction of securing proper supervision and control by the National Government over corporations engaged in interstate business—and the enormous majority of corporations of any size are engaged in interstate business. The passage of the railway rate bill, and only to a less degree the passage of the pure food bill, and the provision for increasing and rendering more effective national control over the beef-packing industry, mark an important advance in the proper direction. In the short session it will perhaps be difficult to do much further along this line; and it may be best to wait until the laws have been in operation for a number of months before endeavoring to increase their scope, because only operation will show with exactness their merits and their shortcomings and thus give opportunity to define what further remedial legislation is needed. Yet in my judgment it will in the end be advisable in connection with the packing house inspection law to provide for putting a date on the label and for charging the cost of inspection to the packers. All these laws have already justified their enactment. The interstate commerce law, for instance, has rather amusingly falsified the predictions, both of those who asserted that it would ruin the railroads and of those who asserted that it did not go far enough and would accomplish nothing. During the last five months the railroads have shown increased earnings and some of them unusual dividends; while during the same period the mere taking effect

of the law has produced an unprecedented, a hitherto unheard of, number of voluntary reductions in freights and fares by the railroads. Since the founding of the Commission there has never been a time of equal length in which anything like so many reduced tariffs have been put into effect. On August 27, for instance, two days before the new law went into effect, the Commission received notices of over five thousand separate tariffs which represented reductions from previous rates.

It must not be supposed, however, that with the passage of these laws it will be possible to stop progress along the line of increasing the power of the National Government over the use of capital in interstate commerce. For example, there will ultimately be need of enlarging the powers of the Interstate Commerce Commission along several different lines, so as to give it a larger and more efficient control over the railroads.

It can not too often be repeated that experience has conclusively shown the impossibility of securing by the actions of nearly half a hundred different State legislatures anything but ineffective chaos in the way of dealing with the great corporations which do not operate exclusively within the limits of any one State. In some method, whether by a national license law or in other fashion, we must exercise, and that at an early date, a far more complete control than at present over these great corporations—a control that will among other things prevent the evils of excessive overcapitalization, and that will compel the disclosure by each big corporation of its stockholders and of its properties and business, whether owned directly or thru subsidiary or affiliated corporations. This will tend to put a stop to the securing of inordinate profits by favored individuals at the expense whether of the general public, the stockholders, or the wageworkers. Our effort should be not so much to prevent consolidation as such, but so to supervise and control it as to see that it results in no harm to the people. The reactionary or ultraconservative apologists for the misuse of wealth assail the effort to secure such control as a step toward socialism. As a matter of fact it is these reactionaries and ultraconservatives who are themselves most potent in increasing socialistic feeling. One of the most efficient methods of averting the consequences of a dangerous agitation, which is 80 per cent wrong, is to remedy the 20 per cent of evil as to which the agitation is well founded. The best way to avert the very undesirable move for the government ownership of railways is to secure by the Government on behalf of the people as a whole such adequate control and regulation of the great interstate common carriers as will do away with the evils which give rise to the agitation against them. So the proper antidote to the dangerous and wicked agitation against the men of wealth as

such is to secure by proper legislation and executive action the abolition of the grave abuses which actually do obtain in connection with the business use of wealth under our present system—or rather no system—of failure to exercise any adequate control at all. Some persons speak as if the exercise of such governmental control would do away with the freedom of individual initiative and dwarf individual effort. This is not a fact. It would be a veritable calamity to fail to put a premium upon individual initiative, individual capacity and effort; upon the energy, character, and foresight which it is so important to encourage in the individual. But as a matter of fact the deadening and degrading effect of pure socialism, and especially of its extreme form communism, and the destruction of individual character which they would bring about, are in part achieved by the wholly unregulated competition which results in a single individual or corporation rising at the expense of all others until his or its rise effectually checks all competition and reduces former competitors to a position of utter inferiority and subordination.

In enacting and enforcing such legislation as this Congress already has to its credit, we are working on a coherent plan, with the steady endeavor to secure the needed reform by the joint action of the moderate men, the plain men who do not wish anything hysterical or dangerous, but who do intend to deal in resolute common-sense fashion with the real and great evils of the present system. The reactionaries and the violent extremists show symptoms of joining hands against us. Both assert, for instance, that, if logical, we should go to government ownership of railroads and the like; the reactionaries, because on such an issue they think the people would stand with them, while the extremists care rather to preach discontent and agitation than to achieve solid results. As a matter of fact, our position is as remote from that of the Bourbon reactionary as from that of the impracticable or sinister visionary. We hold that the Government should not conduct the business of the nation, but that it should exercise such supervision as will insure its being conducted in the interest of the nation. Our aim is, so far as may be, to secure, for all decent, hard working men, equality of opportunity and equality of burden.

The actual working of our laws has shown that the effort to prohibit all combination, good or bad, is noxious where it is not ineffective. Combination of capital like combination of labor is a necessary element of our present industrial system. It is not possible completely to prevent it; and if it were possible, such complete prevention would do damage to the body politic. What we need is not vainly to try to prevent all combination, but to secure such rigorous and adequate control and supervision of the combinations as to prevent their injuring the public, or existing in such form as inevitably to threaten

injury—for the mere fact that a combination has secured practically complete control of a necessary of life would under any circumstances show that such combination was to be presumed to be adverse to the public interest. It is unfortunate that our present laws should forbid all combinations, instead of sharply discriminating between those combinations which do good and those combinations which do evil. Rebates, for instance, are as often due to the pressure of big shippers (as was shown in the investigation of the Standard Oil Company and as has been shown since by the investigation of the tobacco and sugar trusts) as to the initiative of big railroads. Often railroads would like to combine for the purpose of preventing a big shipper from maintaining improper advantages at the expense of small shippers and of the general public. Such a combination, instead of being forbidden by law, should be favored. In other words, it should be permitted to railroads to make agreements, provided these agreements were sanctioned by the Interstate Commerce Commission and were published. With these two conditions complied with it is impossible to see what harm such a combination could do to the public at large. It is a public evil to have on the statute books a law incapable of full enforcement because both judges and juries realize that its full enforcement would destroy the business of the country; for the result is to make decent railroad men violators of the law against their will, and to put a premium on the behavior of the wilful wrongdoers. Such a result in turn tends to throw the decent man and the wilful wrongdoer into close association, and in the end to drag down the former to the latter's level; for the man who becomes a lawbreaker in one way unhappily tends to lose all respect for law and to be willing to break it in many ways. No more scathing condemnation could be visited upon a law than is contained in the words of the Interstate Commerce Commission when, in commenting upon the fact that the numerous joint traffic associations do technically violate the law, they say: "The decision of the United States Supreme Court in the *Trans-Missouri* case and the *Joint Traffic Association* case has produced no practical effect upon the railway operations of the country. Such associations, in fact, exist now as they did before these decisions, and with the same general effect. In justice to all parties, we ought probably to add that it is difficult to see how our interstate railways could be operated with due regard to the interest of the shipper and the railway without concerted action of the kind afforded thru these associations."

This means that the law as construed by the Supreme Court is such that the business of the country can not be conducted without breaking it. I recommend that you give careful and early consideration to this subject, and if you find the opinion of the Interstate Commerce

Commission justified, that you amend the law so as to obviate the evil disclosed.

The question of taxation is difficult in any country, but it is especially difficult in ours with its Federal system of government. Some taxes should on every ground be levied in a small district for use in that district. Thus the taxation of real estate is peculiarly one for the immediate locality in which the real estate is found. Again, there is no more legitimate tax for any State than a tax on the franchises conferred by that State upon street railroads and similar corporations which operate wholly within the State boundaries, sometimes in one and sometimes in several municipalities or other minor divisions of the State. But there are many kinds of taxes which can only be levied by the General Government so as to produce the best results, because, among other reasons, the attempt to impose them in one particular State too often results merely in driving the corporation or individual affected to some other locality or other State. The National Government has long derived its chief revenue from a tariff on imports and from an internal or excise tax. In addition to these there is every reason why, when next our system of taxation is revised, the National Government should impose a graduated inheritance tax, and, if possible, a graduated income tax. The man of great wealth owes a peculiar obligation to the State, because he derives special advantages from the mere existence of government. Not only should he recognize this obligation in the way he leads his daily life and in the way he earns and spends his money, but it should also be recognized by the way in which he pays for the protection the State gives him. On the one hand, it is desirable that he should assume his full and proper share of the burden of taxation; on the other hand, it is quite as necessary that in this kind of taxation, where the men who vote the tax pay but little of it, there should be clear recognition of the danger of inaugurating any such system save in a spirit of entire justice and moderation. Whenever we, as a people, undertake to remodel our taxation system along the lines suggested, we must make it clear beyond peradventure that our aim is to distribute the burden of supporting the Government more equitably than at present; that we intend to treat rich man and poor man on a basis of absolute equality, and that we regard it as equally fatal to true democracy to do or permit injustice to the one as to do or permit injustice to the other.

I am well aware that such a subject as this needs long and careful study in order that the people may become familiar with what is proposed to be done, may clearly see the necessity of proceeding with wisdom and self-restraint, and may make up their minds just how far they are willing to go in the matter; while only trained legislators can

work out the project in necessary detail. But I feel that in the near future our national legislators should enact a law providing for a graduated inheritance tax by which a steadily increasing rate of duty should be put upon all moneys or other valuables coming by gift, bequest, or devise to any individual or corporation. It may be well to make the tax heavy in proportion as the individual benefited is remote of kin. In any event, in my judgment the pro rata of the tax should increase very heavily with the increase of the amount left to any one individual after a certain point has been reached. It is most desirable to encourage thrift and ambition, and a potent source of thrift and ambition is the desire on the part of the breadwinner to leave his children well off. This object can be attained by making the tax very small on moderate amounts of property left; because the prime object should be to put a constantly increasing burden on the inheritance of those swollen fortunes which it is certainly of no benefit to this country to perpetuate.

There can be no question of the ethical propriety of the Government thus determining the conditions upon which any gift or inheritance should be received. Exactly how far the inheritance tax would, as an incident, have the effect of limiting the transmission by devise or gift of the enormous fortunes in question it is not necessary at present to discuss. It is wise that progress in this direction should be gradual. At first a permanent national inheritance tax, while it might be more substantial than any such tax has hitherto been, need not approximate, either in amount or in the extent of the increase by graduation, to what such a tax should ultimately be.

This species of tax has again and again been imposed, altho only temporarily, by the National Government. It was first imposed by the act of July 6, 1797, when the makers of the Constitution were alive and at the head of affairs. It was a graduated tax; tho small in amount, the rate was increased with the amount left to any individual, exceptions being made in the case of certain close kin. A similar tax was again imposed by the act of July 1, 1862; a minimum sum of one thousand dollars in personal property being excepted from taxation, the tax then becoming progressive according to the remoteness of kin. The war-revenue act of June 13, 1898, provided for an inheritance tax on any sum exceeding the value of ten thousand dollars, the rate of the tax increasing both in accordance with the amounts left and in accordance with the legatee's remoteness of kin. The Supreme Court has held that the succession tax imposed at the time of the Civil War was not a direct tax but an impost or excise which was both constitutional and valid. More recently the Court, in an opinion delivered by Mr. Justice White, which contained an exceedingly able and elaborate discussion of the powers of the Congress to

impose death duties, sustained the constitutionality of the inheritance-tax feature of the war-revenue act of 1898.

In its incidents, and apart from the main purpose of raising revenue, an income tax stands on an entirely different footing from an inheritance tax; because it involves no question of the perpetuation of fortunes swollen to an unhealthy size. The question is in its essence a question of the proper adjustment of burdens to benefits. As the law now stands it is undoubtedly difficult to devise a national income tax which shall be constitutional. But whether it is absolutely impossible is another question; and if possible it is most certainly desirable. The first purely income-tax law was past by the Congress in 1861, but the most important law dealing with the subject was that of 1894. This the court held to be unconstitutional.

The question is undoubtedly very intricate, delicate, and troublesome. The decision of the court was only reached by one majority. It is the law of the land, and of course is accepted as such and loyally obeyed by all good citizens. Nevertheless, the hesitation evidently felt by the court as a whole in coming to a conclusion, when considered together with the previous decisions on the subject, may perhaps indicate the possibility of devising a constitutional income-tax law which shall substantially accomplish the results aimed at. The difficulty of amending the Constitution is so great that only real necessity can justify a resort thereto. Every effort should be made in dealing with this subject, as with the subject of the proper control by the National Government over the use of corporate wealth in interstate business, to devise legislation which without such action shall attain the desired end; but if this fails, there will ultimately be no alternative to a constitutional amendment.

It would be impossible to overstate (tho it is of course difficult quantitatively to measure) the effect upon a nation's growth to greatness of what may be called organized patriotism, which necessarily includes the substitution of a national feeling for mere local pride; with as a resultant a high ambition for the whole country. No country can develop its full strength so long as the parts which make up the whole each put a feeling of loyalty to the part above the feeling of loyalty to the whole. This is true of sections and it is just as true of classes. The industrial and agricultural classes must work together, capitalists and wageworkers must work together, if the best work of which the country is capable is to be done. It is probable that a thoroly efficient system of education comes next to the influence of patriotism in bringing about national success of this kind. Our federal form of government, so fruitful of advantage to our people in certain ways, in other ways undoubtedly limits our national effectiveness. It is not possible, for instance, for the National Government

to take the lead in technical industrial education, to see that the public school system of this country develops on all its technical, industrial, scientific, and commercial sides. This must be left primarily to the several States. Nevertheless, the National Government has control of the schools of the District of Columbia, and it should see that these schools promote and encourage the fullest development of the scholars in both commercial and industrial training. The commercial training should in one of its branches deal with foreign trade. The industrial training is even more important. It should be one of our prime objects as a Nation, so far as feasible, constantly to work toward putting the mechanic, the wageworker who works with his hands, on a higher plane of efficiency and reward, so as to increase his effectiveness in the economic world, and the dignity, the remuneration, and the power of his position in the social world. Unfortunately, at present the effect of some of the work in the public schools is in the exactly opposite direction. If boys and girls are trained merely in literary accomplishments, to the total exclusion of industrial, manual, and technical training, the tendency is to unfit them for industrial work and to make them reluctant to go into it, or unfitted to do well if they do go into it. This is a tendency which should be strenuously combated. Our industrial development depends largely upon technical education, including in this term all industrial education, from that which fits a man to be a good mechanic, a good carpenter, or blacksmith, to that which fits a man to do the greatest engineering feat. The skilled mechanic, the skilled workman, can best become such by technical industrial education. The far-reaching usefulness of institutes of technology and schools of mines or of engineering is now universally acknowledged, and no less far-reaching is the effect of a good building or mechanical trades school, a textile, or watch-making, or engraving school. All such training must develop not only manual dexterity but industrial intelligence. In international rivalry this country does not have to fear the competition of pauper labor as much as it has to fear the educated labor of specially trained competitors; and we should have the education of the hand, eye, and brain which will fit us to meet such competition.

In every possible way we should help the wageworker who toils with his hands and who must (we hope in a constantly increasing measure) also toil with his brain. Under the Constitution the National Legislature can do but little of direct importance for his welfare save where he is engaged in work which permits it to act under the interstate commerce clause of the Constitution; and this is one reason why I so earnestly hope that both the legislative and judicial branches of the Government will construe this clause of the Constitution in the broadest possible manner. We can, however, in

such a matter as industrial training, in such a matter as child labor and factory laws, set an example to the States by enacting the most advanced legislation that can wisely be enacted for the District of Columbia.

The only other persons whose welfare is as vital to the welfare of the whole country as is the welfare of the wageworkers are the tillers of the soil, the farmers. It is a mere truism to say that no growth of cities, no growth of wealth, no industrial development can atone for any falling off in the character and standing of the farming population. During the last few decades this fact has been recognized with ever-increasing clearness. There is no longer any failure to realize that farming, at least in certain branches, must become a technical and scientific profession. This means that there must be open to farmers the chance for technical and scientific training, not theoretical merely but of the most severely practical type. The farmer represents a peculiarly high type of American citizenship, and he must have the same chance to rise and develop as other American citizens have. Moreover, it is exactly as true of the farmer, as it is of the business man and the wageworker, that the ultimate success of the Nation of which he forms a part must be founded not alone on material prosperity but upon high moral, mental, and physical development. This education of the farmer—self-education by preference, but also education from the outside, as with all other men—is peculiarly necessary here in the United States, where the frontier conditions even in the newest States have now nearly vanished, where there must be a substitution of a more intensive system of cultivation for the old wasteful farm management, and where there must be a better business organization among the farmers themselves.

Several factors must cooperate in the improvement of the farmer's condition. He must have the chance to be educated in the widest possible sense—in the sense which keeps ever in view the intimate relationship between the theory of education and the facts of life. In all education we should widen our aims. It is a good thing to produce a certain number of trained scholars and students; but the education superintended by the State must seek rather to produce a hundred good citizens than merely one scholar, and it must be turned now and then from the class book to the study of the great book of nature itself. This is especially true of the farmer, as has been pointed out again and again by all observers most competent to pass practical judgment on the problems of our country life. All students now realize that education must seek to train the executive powers of young people and to confer more real significance upon the phrase "dignity of labor," and to prepare the pupils so that, in addition to each developing in the highest degree his individual capacity for work,

they may together help create a right public opinion, and show in many ways social and cooperative spirit. Organization has become necessary in the business world; and it has accomplished much for good in the world of labor. It is no less necessary for farmers. Such a movement as the grange movement is good in itself and is capable of a well-nigh infinite further extension for good so long as it is kept to its own legitimate business. The benefits to be derived by the association of farmers for mutual advantage are partly economic and partly sociological.

Moreover, while in the long run voluntary efforts will prove more efficacious than government assistance, while the farmers must primarily do most for themselves, yet the Government can also do much. The Department of Agriculture has broken new ground in many directions, and year by year it finds how it can improve its methods and develop fresh usefulness. Its constant effort is to give the governmental assistance in the most effective way; that is, thru associations of farmers rather than to or thru individual farmers. It is also striving to coordinate its work with the agricultural departments of the several States, and so far as its own work is educational to coordinate it with the work of other educational authorities. Agricultural education is necessarily based upon general education, but our agricultural educational institutions are wisely specializing themselves, making their courses relate to the actual teaching of the agricultural and kindred sciences to young country people or young city people who wish to live in the country.

Great progress has already been made among farmers by the creation of farmers' institutes, of dairy associations, of breeders' associations, horticultural associations, and the like. A striking example of how the Government and the farmers can cooperate is shown in connection with the menace offered to the cotton growers of the Southern States by the advance of the boll weevil. The Department is doing all it can to organize the farmers in the threatened districts, just as it has been doing all it can to organize them in aid of its work to eradicate the cattle fever tick in the South. The Department can and will cooperate with all such associations, and it must have their help if its own work is to be done in the most efficient style.

Much is now being done for the States of the Rocky Mountains and Great Plains thru the development of the national policy of irrigation and forest preservation; no Government policy for the betterment of our internal conditions has been more fruitful of good than this. The forests of the White Mountains and Southern Appalachian regions should also be preserved; and they can not be unless the people of the States in which they lie, thru their representatives in the Congress, secure vigorous action by the National Government.

I invite the attention of the Congress to the estimate of the Secretary of War for an appropriation to enable him to begin the preliminary work for the construction of a memorial amphitheater at Arlington. The Grand Army of the Republic in its national encampment has urged the erection of such an amphitheater as necessary for the proper observance of Memorial Day and as a fitting monument to the soldier and sailor dead buried there. In this I heartily concur and commend the matter to the favorable consideration of the Congress.

I am well aware of how difficult it is to pass a constitutional amendment. Nevertheless in my judgment the whole question of marriage and divorce should be relegated to the authority of the National Congress. At present the wide differences in the laws of the different States on this subject result in scandals and abuses; and surely there is nothing so vitally essential to the welfare of the nation, nothing around which the nation should so bend itself to throw every safeguard, as the home life of the average citizen. The change would be good from every standpoint. In particular it would be good because it would confer on the Congress the power at once to deal radically and efficiently with polygamy; and this should be done whether or not marriage and divorce are dealt with. It is neither safe nor proper to leave the question of polygamy to be dealt with by the several States. Power to deal with it should be conferred on the National Government.

When home ties are loosened; when men and women cease to regard a worthy family life, with all its duties fully performed, and all its responsibilities lived up to, as the life best worth living; then evil days for the commonwealth are at hand. There are regions in our land, and classes of our population, where the birth rate has sunk below the death rate. Surely it should need no demonstration to show that wilful sterility is, from the standpoint of the nation, from the standpoint of the human race, the one sin for which the penalty is national death, race death; a sin for which there is no atonement; a sin which is the more dreadful exactly in proportion as the men and women guilty thereof are in other respects, in character, and bodily and mental powers, those whom for the sake of the state it would be well to see the fathers and mothers of many healthy children, well brought up in homes made happy by their presence. No man, no woman, can shirk the primary duties of life, whether for love of ease and pleasure, or for any other cause, and retain his or her self-respect.

Let me once again call the attention of the Congress to two subjects concerning which I have frequently before communicated with them. One is the question of developing American shipping. I trust that a law embodying in substance the views, or a major part of the views,

express in the report on this subject laid before the House at its last session will be past. I am well aware that in former years objectionable measures have been proposed in reference to the encouragement of American shipping; but it seems to me that the proposed measure is as nearly unobjectionable as any can be. It will of course benefit primarily our seaboard States, such as Maine, Louisiana, and Washington; but what benefits part of our people in the end benefits all; just as Government aid to irrigation and forestry in the West is really of benefit, not only to the Rocky Mountain States, but to all our country. If it prove impracticable to enact a law for the encouragement of shipping generally, then at least provision should be made for better communication with South America, notably for fast mail lines to the chief South American ports. It is discreditable to us that our business people, for lack of direct communication in the shape of lines of steamers with South America, should in that great sister continent be at a disadvantage compared to the business people of Europe.

I especially call your attention to the second subject, the condition of our currency laws. The national bank act has ably served a great purpose in aiding the enormous business development of the country; and within ten years there has been an increase in circulation per capita from \$21.41 to \$33.08. For several years evidence has been accumulating that additional legislation is needed. The recurrence of each crop season emphasizes the defects of the present laws. There must soon be a revision of them, because to leave them as they are means to incur liability of business disaster. Since your body adjourned there has been a fluctuation in the interest on call money from 2 per cent to 30 per cent; and the fluctuation was even greater during the preceding six months. The Secretary of the Treasury had to step in and by wise action put a stop to the most violent period of oscillation. Even worse than such fluctuation is the advance in commercial rates and the uncertainty felt in the sufficiency of credit even at high rates. All commercial interests suffer during each crop period. Excessive rates for call money in New York attract money from the interior banks into the speculative field; this depletes the fund that would otherwise be available for commercial uses, and commercial borrowers are forced to pay abnormal rates; so that each fall a tax, in the shape of increased interest charges, is placed on the whole commerce of the country.

The mere statement of these facts shows that our present system is seriously defective. There is need of a change. Unfortunately, however, many of the proposed changes must be ruled from consideration because they are complicated, are not easy of comprehension, and tend to disturb existing rights and interests. We must also rule out any plan which would materially impair the value of the United States

2 per cent bonds now pledged to secure circulation, the issue of which was made under conditions peculiarly creditable to the Treasury. I do not press any especial plan. Various plans have recently been proposed by expert committees of bankers. Among the plans which are possibly feasible and which certainly should receive your consideration is that repeatedly brought to your attention by the present Secretary of the Treasury, the essential features of which have been approved by many prominent bankers and business men. According to this plan national banks should be permitted to issue a specified proportion of their capital in notes of a given kind, the issue to be taxed at so high a rate as to drive the notes back when not wanted in legitimate trade. This plan would not permit the issue of currency to give banks additional profits, but to meet the emergency presented by times of stringency.

I do not say that this is the right system. I only advance it to emphasize my belief that there is need for the adoption of some system which shall be automatic and open to all sound banks, so as to avoid all possibility of discrimination and favoritism. Such a plan would tend to prevent the spasms of high money and speculation which now obtain in the New York market; for at present there is too much currency at certain seasons of the year, and its accumulation at New York tempts bankers to lend it at low rates for speculative purposes; whereas at other times when the crops are being moved there is urgent need for a large but temporary increase in the currency supply. It must never be forgotten that this question concerns business men generally quite as much as bankers; especially is this true of stockmen, farmers, and business men in the West; for at present at certain seasons of the year the difference in interest rates between the East and the West is from 6 to 10 per cent, whereas in Canada the corresponding difference is but 2 per cent. Any plan must, of course, guard the interests of western and southern bankers as carefully as it guards the interests of New York or Chicago bankers; and must be drawn from the standpoints of the farmer and the merchant no less than from the standpoints of the city banker and the country banker.

The law should be amended so as specifically to provide that the funds derived from customs duties may be treated by the Secretary of the Treasury as he treats funds obtained under the internal-revenue laws. There should be a considerable increase in bills of small denominations. Permission should be given banks, if necessary under settled restrictions, to retire their circulation to a larger amount than three millions a month.

I most earnestly hope that the bill to provide a lower tariff for or else absolute free trade in Philippine products will become a law. No harm will come to any American industry; and while there will

be some small but real material benefit to the Filipinos, the main benefit will come by the showing made as to our purpose to do all in our power for their welfare. So far our action in the Philippines has been abundantly justified, not mainly and indeed not primarily because of the added dignity it has given us as a nation by proving that we are capable honorably and efficiently to bear the international burdens which a mighty people should bear, but even more because of the immense benefit that has come to the people of the Philippine Islands. In these islands we are steadily introducing both liberty and order, to a greater degree than their people have ever before known. We have secured justice. We have provided an efficient police force, and have put down ladronism. Only in the islands of Leyte and Samar is the authority of our Government resisted and this by wild mountain tribes under the superstitious inspiration of fakirs and pseudo-religious leaders. We are constantly increasing the measure of liberty accorded the islanders, and next spring, if conditions warrant, we shall take a great stride forward in testing their capacity for self-government by summoning the first Filipino legislative assembly; and the way in which they stand this test will largely determine whether the self-government thus granted will be increased or decreased; for if we have erred at all in the Philippines it has been in proceeding too rapidly in the direction of granting a large measure of self-government. We are building roads. We have, for the immeasurable good of the people, arranged for the building of railroads. Let us also see to it that they are given free access to our markets. This nation owes no more imperative duty to itself and mankind than the duty of managing the affairs of all the islands under the American flag—the Philippines, Porto Rico, and Hawaii—so as to make it evident that it is in every way to their advantage that the flag should fly over them.

American citizenship should be conferred on the citizens of Porto Rico. The harbor of San Juan in Porto Rico should be dredged and improved. The expenses of the federal court of Porto Rico should be met from the Federal Treasury. The administration of the affairs of Porto Rico, together with those of the Philippines, Hawaii, and our other insular possessions, should all be directed under one executive department; by preference the Department of State or the Department of War.

The needs of Hawaii are peculiar; every aid should be given the islands; and our efforts should be unceasing to develop them along the lines of a community of small freeholders, not of great planters with coolie-tilled estates. Situated as this Territory is, in the middle of the Pacific, there are duties imposed upon this small community which do not fall in like degree or manner upon any other American community. This warrants our treating it differently from the way in which we

treat Territories contiguous to or surrounded by sister Territories or other States, and justifies the setting aside of a portion of our revenues to be expended for educational and internal improvements therein. Hawaii is now making an effort to secure immigration fit in the end to assume the duties and burdens of full American citizenship, and whenever the leaders in the various industries of those islands finally adopt our ideals and heartily join our administration in endeavoring to develop a middle class of substantial citizens, a way will then be found to deal with the commercial and industrial problems which now appear to them so serious. The best Americanism is that which aims for stability and permanency of prosperous citizenship, rather than immediate returns on large masses of capital.

Alaska's needs have been partially met, but there must be a complete reorganization of the governmental system, as I have before indicated to you. I ask your especial attention to this. Our fellow-citizens who dwell on the shores of Puget Sound with characteristic energy are arranging to hold in Seattle the Alaska Yukon Pacific Exposition. Its special aims include the upbuilding of Alaska and the development of American commerce on the Pacific Ocean. This exposition, in its purposes and scope, should appeal not only to the people of the Pacific slope, but to the people of the United States at large. Alaska since it was bought has yielded to the Government eleven millions of dollars of revenue, and has produced nearly three hundred millions of dollars in gold, furs, and fish. When properly developed it will become in large degree a land of homes. The countries bordering the Pacific Ocean have a population more numerous than that of all the countries of Europe; their annual foreign commerce amounts to over three billions of dollars, of which the share of the United States is some seven hundred millions of dollars. If this trade were thoroly understood and pushed by our manufacturers and producers, the industries not only of the Pacific slope, but of all our country, and particularly of our cotton-growing States, would be greatly benefited. Of course, in order to get these benefits, we must treat fairly the countries with which we trade.

It is a mistake, and it betrays a spirit of foolish cynicism, to maintain that all international governmental action is, and must ever be, based upon mere selfishness, and that to advance ethical reasons for such action is always a sign of hypocrisy. This is no more necessarily true of the action of governments than of the action of individuals. It is a sure sign of a base nature always to ascribe base motives for the actions of others. Unquestionably no nation can afford to disregard proper considerations of self-interest, any more than a private individual can so do. But it is equally true that the average private individual in any really decent community does many actions with reference to other men

in which he is guided, not by self-interest, but by public spirit, by regard for the rights of others, by a disinterested purpose to do good to others, and to raise the tone of the community as a whole. Similarly, a really great nation must often act, and as a matter of fact often does act, toward other nations in a spirit not in the least of mere self-interest, but paying heed chiefly to ethical reasons; and as the centuries go by this disinterestedness in international action, this tendency of the individuals comprising a nation to require that nation to act with justice toward its neighbors, steadily grows and strengthens. It is neither wise nor right for a nation to disregard its own needs, and it is foolish—and may be wicked—to think that other nations will disregard theirs. But it is wicked for a nation only to regard its own interest, and foolish to believe that such is the sole motive that actuates any other nation. It should be our steady aim to raise the ethical standard of national action just as we strive to raise the ethical standard of individual action.

Not only must we treat all nations fairly, but we must treat with justice and good will all immigrants who come here under the law. Whether they are Catholic or Protestant, Jew or Gentile; whether they come from England or Germany, Russia, Japan, or Italy, matters nothing. All we have a right to question is the man's conduct. If he is honest and upright in his dealings with his neighbor and with the State, then he is entitled to respect and good treatment. Especially do we need to remember our duty to the stranger within our gates. It is the sure mark of a low civilization, a low morality, to abuse or discriminate against or in any way humiliate such stranger who has come here lawfully and who is conducting himself properly. To remember this is incumbent on every American citizen, and it is of course peculiarly incumbent on every Government official, whether of the nation or of the several States.

I am prompted to say this by the attitude of hostility here and there assumed toward the Japanese in this country. This hostility is sporadic and is limited to a very few places. Nevertheless, it is most discreditable to us as a people, and it may be fraught with the gravest consequences to the nation. The friendship between the United States and Japan has been continuous since the time, over half a century ago, when Commodore Perry, by his expedition to Japan, first opened the islands to western civilization. Since then the growth of Japan has been literally astounding. There is not only nothing to parallel it, but nothing to approach it in the history of civilized mankind. Japan has a glorious and ancient past. Her civilization is older than that of the nations of northern Europe—the nations from whom the people of the United States have chiefly sprung. But fifty years ago Japan's development was still that of the Middle Ages. During that fifty years the

progress of the country in every walk in life has been a marvel to mankind, and she now stands as one of the greatest of civilized nations; great in the arts of war and in the arts of peace; great in military, in industrial, in artistic development and achievement. Japanese soldiers and sailors have shown themselves equal in combat to any of whom history makes note. She has produced great generals and mighty admirals; her fighting men, afloat and ashore, show all the heroic courage, the unquestioning, unfaltering loyalty, the splendid indifference to hardship and death, which marked the Loyal Ronins; and they show also that they possess the highest ideal of patriotism. Japanese artists of every kind see their products eagerly sought for in all lands. The industrial and commercial development of Japan has been phenomenal; greater than that of any other country during the same period. At the same time the advance in science and philosophy is no less marked. The admirable management of the Japanese Red Cross during the late war, the efficiency and humanity of the Japanese officials, nurses, and doctors, won the respectful admiration of all acquainted with the facts. Thru the Red Cross the Japanese people sent over \$100,000 to the sufferers of San Francisco, and the gift was accepted with gratitude by our people. The courtesy of the Japanese, nationally and individually, has become proverbial. To no other country has there been such an increasing number of visitors from this land as to Japan. In return, Japanese have come here in great numbers. They are welcome, socially and intellectually, in all our colleges and institutions of higher learning, in all our professional and social bodies. The Japanese have won in a single generation the right to stand abreast of the foremost and most enlightened peoples of Europe and America; they have won on their own merits and by their own exertions the right to treatment on a basis of full and frank equality. The overwhelming mass of our people cherish a lively regard and respect for the people of Japan, and in almost every quarter of the Union the stranger from Japan is treated as he deserves; that is, he is treated as the stranger from any part of civilized Europe is and deserves to be treated. But here and there a most unworthy feeling has manifested itself toward the Japanese—the feeling that has been shown in shutting them out from the common schools in San Francisco, and in mutterings against them in one or two other places, because of their efficiency as workers. To shut them out from the public schools is a wicked absurdity, when there are no first-class colleges in the land, including the universities and colleges of California, which do not gladly welcome Japanese students and on which Japanese students do not reflect credit. We have as much to learn from Japan as Japan has to learn from us; and no nation is fit to teach unless it is also willing to learn. Thruout Japan Americans are well treated, and any failure on the part of Americans at home to treat

the Japanese with a like courtesy and consideration is by just so much a confession of inferiority in our civilization.

Our nation fronts on the Pacific, just as it fronts on the Atlantic. We hope to play a constantly growing part in the great ocean of the Orient. We wish, as we ought to wish, for a great commercial development in our dealings with Asia; and it is out of the question that we should permanently have such development unless we freely and gladly extend to other nations the same measure of justice and good treatment which we expect to receive in return. It is only a very small body of our citizens that act badly. Where the Federal Government has power it will deal summarily with any such. Where the several States have power I earnestly ask that they also deal wisely and promptly with such conduct, or else this small body of wrongdoers may bring shame upon the great mass of their innocent and right-thinking fellows—that is, upon our nation as a whole. Good manners should be an international no less than an individual attribute. I ask fair treatment for the Japanese as I would ask fair treatment for Germans or Englishmen, Frenchmen, Russians, or Italians. I ask it as due to humanity and civilization. I ask it as due to ourselves because we must act uprightly toward all men.

I recommend to the Congress that an act be past specifically providing for the naturalization of Japanese who come here intending to become American citizens. One of the great embarrassments attending the performance of our international obligations is the fact that the Statutes of the United States are entirely inadequate. They fail to give to the National Government sufficiently ample power, thru United States courts and by the use of the Army and Navy, to protect aliens in the rights secured to them under solemn treaties which are the law of the land. I therefore earnestly recommend that the criminal and civil statutes of the United States be so amended and added to as to enable the President, acting for the United States Government, which is responsible in our international relations, to enforce the rights of aliens under treaties. Even as the law now is something can be done by the Federal Government toward this end, and in the matter now before me affecting the Japanese everything that it is in my power to do will be done, and all of the forces, military and civil, of the United States which I may lawfully employ will be so employed. There should, however, be no particle of doubt as to the power of the National Government completely to perform and enforce its own obligations to other nations. The mob of a single city may at any time perform acts of lawless violence against some class of foreigners which would plunge us into war. That city by itself would be powerless to make defense against the foreign power thus assaulted, and if independent of this Government it would never venture to perform or permit the perform-

ance of the acts complained of. The entire power and the whole duty to protect the offending city or the offending community lies in the hands of the United States Government. It is unthinkable that we should continue a policy under which a given locality may be allowed to commit a crime against a friendly nation, and the United States Government limited, not to preventing the commission of the crime, but, in the last resort, to defending the people who have committed it against the consequences of their own wrongdoing.

Last August an insurrection broke out in Cuba which it speedily grew evident that the existing Cuban Government was powerless to quell. This Government was repeatedly asked by the then Cuban Government to intervene, and finally was notified by the President of Cuba that he intended to resign; that his decision was irrevocable; that none of the other constitutional officers would consent to carry on the Government, and that he was powerless to maintain order. It was evident that chaos was impending, and there was every probability that if steps were not immediately taken by this Government to try to restore order the representatives of various European nations in the island would apply to their respective governments for armed intervention in order to protect the lives and property of their citizens. Thanks to the preparedness of our Navy, I was able immediately to send enough ships to Cuba to prevent the situation from becoming hopeless; and I furthermore dispatched to Cuba the Secretary of War and the Assistant Secretary of State, in order that they might grapple with the situation on the ground. All efforts to secure an agreement between the contending factions, by which they should themselves come to an amicable understanding and settle upon some *modus vivendi*—some provisional government of their own—failed. Finally the President of the Republic resigned. The quorum of Congress assembled failed by deliberate purpose of its members, so that there was no power to act on his resignation, and the Government came to a halt. In accordance with the so-called Platt amendment, which was embodied in the constitution of Cuba, I thereupon proclaimed a provisional government for the island, the Secretary of War acting as provisional governor until he could be replaced by Mr. Magoon, the late minister to Panama and governor of the Canal Zone on the Isthmus; troops were sent to support them and to relieve the Navy, the expedition being handled with most satisfactory speed and efficiency. The insurgent chiefs immediately agreed that their troops should lay down their arms and disband; and the agreement was carried out. The provisional government has left the personnel of the old government and the old laws, so far as might be, unchanged, and will thus administer the island for a few months until tranquillity can be restored, a new election properly held, and a new government inaugurated. Peace has come in the island; and the har-

vesting of the sugar-cane crop, the great crop of the island, is about to proceed.

When the election has been held and the new government inaugurated in peaceful and orderly fashion the provisional government will come to an end. I take this opportunity of expressing upon behalf of the American people, with all possible solemnity, our most earnest hope that the people of Cuba will realize the imperative need of preserving justice and keeping order in the Island. The United States wishes nothing of Cuba except that it shall prosper morally and materially; and wishes nothing of the Cubans save that they shall be able to preserve order among themselves and therefore to preserve their independence. If the elections become a farce, and if the insurrectionary habit becomes confirmed in the Island, it is absolutely out of the question that the Island should continue independent; and the United States, which has assumed the sponsorship before the civilized world for Cuba's career as a nation, would again have to intervene and to see that the government was managed in such orderly fashion as to secure the safety of life and property. The path to be trodden by those who exercise self-government is always hard, and we should have every charity and patience with the Cubans as they tread this difficult path. I have the utmost sympathy with, and regard for, them; but I most earnestly adjure them solemnly to weigh their responsibilities and to see that when their new government is started it shall run smoothly, and with freedom from flagrant denial of right on the one hand, and from insurrectionary disturbances on the other.

The Second International Conference of American Republics, held in Mexico in the years 1901-2, provided for the holding of the third conference within five years, and committed the fixing of the time and place and the arrangements for the conference to the governing board of the Bureau of American Republics, composed of the representatives of all the American nations in Washington. That board discharged the duty imposed upon it with marked fidelity and painstaking care, and upon the courteous invitation of the United States of Brazil the conference was held at Rio de Janeiro, continuing from the 23d of July to the 29th of August last. Many subjects of common interest to all the American nations were discussed by the conference, and the conclusions reached, embodied in a series of resolutions and proposed conventions, will be laid before you upon the coming in of the final report of the American delegates. They contain many matters of importance relating to the extension of trade, the increase of communication, the smoothing away of barriers to free intercourse, and the promotion of a better knowledge and good understanding between the different countries represented. The meetings of the conference were harmonious and the conclusions were reached with substantial unanimity. It is interesting to

observe that in the successive conferences which have been held the representatives of the different American nations have been learning to work together effectively, for, while the First Conference in Washington in 1889, and the Second Conference in Mexico in 1901-2, occupied many months, with much time wasted in an unregulated and fruitless discussion, the Third Conference at Rio exhibited much of the facility in the practical dispatch of business which characterizes permanent deliberative bodies, and completed its labors within the period of six weeks originally allotted for its sessions.

Quite apart from the specific value of the conclusions reached by the conference, the example of the representatives of all the American nations engaging in harmonious and kindly consideration and discussion of subjects of common interest is itself of great and substantial value for the promotion of reasonable and considerate treatment of all international questions. The thanks of this country are due to the Government of Brazil and to the people of Rio de Janeiro for the generous hospitality with which our delegates, in common with the others, were received, entertained, and facilitated in their work.

Incidentally to the meeting of the conference, the Secretary of State visited the city of Rio de Janeiro and was cordially received by the conference, of which he was made an honorary president. The announcement of his intention to make this visit was followed by most courteous and urgent invitations from nearly all the countries of South America to visit them as the guest of their Governments. It was deemed that by the acceptance of these invitations we might appropriately express the real respect and friendship in which we hold our sister Republics of the southern continent, and the Secretary, accordingly, visited Brazil, Uruguay, Argentina, Chile, Peru, Panama, and Colombia. He refrained from visiting Paraguay, Bolivia, and Ecuador only because the distance of their capitals from the seaboard made it impracticable with the time at his disposal. He carried with him a message of peace and friendship, and of strong desire for good understanding and mutual helpfulness; and he was everywhere received in the spirit of his message. The members of government, the press, the learned professions, the men of business, and the great masses of the people united everywhere in emphatic response to his friendly expressions and in doing honor to the country and cause which he represented.

In many parts of South America there has been much misunderstanding of the attitude and purposes of the United States towards the other American Republics. An idea had become prevalent that our assertion of the Monroe Doctrine implied, or carried with it, an assumption of superiority, and of a right to exercise some kind of protectorate over the countries to whose territory that doctrine applies.

Nothing could be farther from the truth. Yet that impression continued to be a serious barrier to good understanding, to friendly intercourse, to the introduction of American capital and the extension of American trade. The impression was so widespread that apparently it could not be reached by any ordinary means.

It was part of Secretary Root's mission to dispel this unfounded impression, and there is just cause to believe that he has succeeded. In an address to the Third Conference at Rio on the 31st of July—an address of such note that I send it in, together with this message—he said:

"We wish for no victories but those of peace; for no territory except our own; for no sovereignty except the sovereignty over ourselves. We deem the independence and equal rights of the smallest and weakest member of the family of nations entitled to as much respect as those of the greatest empire, and we deem the observance of that respect the chief guaranty of the weak against the oppression of the strong. We neither claim nor desire any rights or privileges or powers that we do not freely concede to every American Republic. We wish to increase our prosperity, to extend our trade, to grow in wealth, in wisdom, and in spirit, but our conception of the true way to accomplish this is not to pull down others and profit by their ruin, but to help all friends to a common prosperity and a common growth, that we may all become greater and stronger together. Within a few months for the first time the recognized possessors of every foot of soil upon the American continents can be and I hope will be represented with the acknowledged rights of equal sovereign states in the great World Congress at The Hague. This will be the world's formal and final acceptance of the declaration that no part of the American continents is to be deemed subject to colonization. Let us pledge ourselves to aid each other in the full performance of the duty to humanity which that accepted declaration implies, so that in time the weakest and most unfortunate of our Republics may come to march with equal step by the side of the stronger and more fortunate. Let us help each other to show that for all the races of men the liberty for which we have fought and labored is the twin sister of justice and peace. Let us unite in creating and maintaining and making effective an all-American public opinion, whose power shall influence international conduct and prevent international wrong, and narrow the causes of war, and forever preserve our free lands from the burden of such armaments as are massed behind the frontiers of Europe, and bring us ever nearer to the perfection of ordered liberty. So shall come security and prosperity, production and trade, wealth, learning, the arts, and happiness for us all."

These words appear to have been received with acclaim in every part of South America. They have my hearty approval, as I am sure they will have yours, and I can not be wrong in the conviction that they correctly represent the sentiments of the whole American people. I can not better characterize the true attitude of the United States in its assertion of the Monroe Doctrine than in the words of the distinguished former minister of foreign affairs of Argentina, Doctor Drago, in his speech welcoming Mr. Root at Buenos Ayres. He spoke of—

“The traditional policy of the United States (which) without accentuating superiority or seeking preponderance, condemned the oppression of the nations of this part of the world and the control of their destinies by the great Powers of Europe.”

It is gratifying to know that in the great city of Buenos Ayres, upon the arches which spanned the streets, entwined with Argentine and American flags for the reception of our representative, there were emblazoned not only the names of Washington and Jefferson and Marshall, but also, in appreciative recognition of their services to the cause of South American independence, the names of James Monroe, John Quincy Adams, Henry Clay, and Richard Rush. We take especial pleasure in the graceful courtesy of the Government of Brazil, which has given to the beautiful and stately building first used for the meeting of the conference the name of “Palacio Monroe.” Our grateful acknowledgments are due to the Governments and the people of all the countries visited by the Secretary of State for the courtesy, the friendship, and the honor shown to our country in their generous hospitality to him.

In my message to you on the 5th of December, 1905, I called your attention to the embarrassment that might be caused to this Government by the assertion by foreign nations of the right to collect by force of arms contract debts due by American republics to citizens of the collecting nation, and to the danger that the process of compulsory collection might result in the occupation of territory tending to become permanent. I then said:

“Our own Government has always refused to enforce such contractual obligations on behalf of its citizens by an appeal to arms. It is much to be wisht that all foreign governments would take the same view.”

This subject was one of the topics of consideration at the conference at Rio and a resolution was adopted by that conference recommending to the respective governments represented “to consider the advisability of asking the Second Peace Conference at The Hague to examine the

question of the compulsory collection of public debts, and, in general, means tending to diminish among nations conflicts of purely pecuniary origin."

This resolution was supported by the representatives of the United States in accordance with the following instructions:

"It has long been the established policy of the United States not to use its armed forces for the collection of ordinary contract debts due to its citizens by other governments. We have not considered the use of force for such a purpose consistent with that respect for the independent sovereignty of other members of the family of nations which is the most important principle of international law and the chief protection of weak nations against the oppression of the strong. It seems to us that the practise is injurious in its general effect upon the relations of nations and upon the welfare of weak and disordered states, whose development ought to be encouraged in the interests of civilization; that it offers frequent temptation to bullying and oppression and to unnecessary and unjustifiable warfare. We regret that other powers, whose opinions and sense of justice we esteem highly, have at times taken a different view and have permitted themselves, tho we believe with reluctance, to collect such debts by force. It is doubtless true that the non-payment of public debts may be accompanied by such circumstances of fraud and wrongdoing or violation of treaties as to justify the use of force. This Government would be glad to see an international consideration of the subject which shall discriminate between such cases and the simple nonperformance of a contract with a private person, and a resolution in favor of reliance upon peaceful means in cases of the latter class.

"It is not felt, however, that the conference at Rio should undertake to make such a discrimination or to resolve upon such a rule. Most of the American countries are still debtor nations, while the countries of Europe are the creditors. If the Rio conference, therefore, were to take such action it would have the appearance of a meeting of debtors resolving how their creditors should act, and this would not inspire respect. The true course is indicated by the terms of the program, which proposes to request the Second Hague Conference, where both creditors and debtors will be assembled, to consider the subject."

Last June trouble which had existed for some time between the Republics of Salvador, Guatemala, and Honduras culminated in war—a war which threatened to be ruinous to the countries involved and very destructive to the commercial interests of Americans, Mexicans, and other foreigners who are taking an important part in the development of these countries. The thoroly good understanding which exists between the United States and Mexico enabled this Govern-

ment and that of Mexico to unite in effective mediation between the warring Republics; which mediation resulted, not without long-continued and patient effort, in bringing about a meeting of the representatives of the hostile powers on board a United States warship as neutral territory, and peace was there concluded; a peace which resulted in the saving of thousands of lives and in the prevention of an incalculable amount of misery and the destruction of property and of the means of livelihood. The Rio Conference past the following resolution in reference to this action:

"That the Third International American Conference shall address to the Presidents of the United States of America and of the United States of Mexico a note in which the conference which is being held at Rio expresses its satisfaction at the happy results of their mediation for the celebration of peace between the Republics of Guatemala, Honduras, and Salvador."

This affords an excellent example of one way in which the influence of the United States can properly be exercised for the benefit of the peoples of the Western Hemisphere; that is, by action taken in concert with other American republics and therefore free from those suspicions and prejudices which might attach if the action were taken by one alone. In this way it is possible to exercise a powerful influence toward the substitution of considerate action in the spirit of justice for the insurrectionary or international violence which has hitherto been so great a hindrance to the development of many of our neighbors. Repeated examples of united action by several or many American republics in favor of peace, by urging cool and reasonable, instead of excited and belligerent, treatment of international controversies, can not fail to promote the growth of a general public opinion among the American nations which will elevate the standards of international action, strengthen the sense of international duty among governments, and tell in favor of the peace of mankind.

I have just returned from a trip to Panama and shall report to you at length later on the whole subject of the Panama Canal.

The Algeciras Convention, which was signed by the United States as well as by most of the powers of Europe, supersedes the previous convention of 1880, which was also signed both by the United States and a majority of the European powers. This treaty confers upon us equal commercial rights with all European countries and does not entail a single obligation of any kind upon us, and I earnestly hope it may be speedily ratified. To refuse to ratify it would merely mean that we forfeited our commercial rights in Morocco and would not achieve another object of any kind. In the event of such refusal we would be left for the first time in a hundred and twenty years without

any commercial treaty with Morocco; and this at a time when we are everywhere seeking new markets and outlets for trade.

The destruction of the Pribilof Islands fur seals by pelagic sealing still continues. The herd which, according to the surveys made in 1874 by direction of the Congress, numbered 4,700,000, and which, according to the survey of both American and Canadian commissioners in 1891, amounted to 1,000,000, has now been reduced to about 180,000. This result has been brought about by Canadian and some other sealing vessels killing the female seals while in the water during their annual pilgrimage to and from the south, or in search of food. As a rule the female seal when killed is pregnant, and also has an unweaned pup on land, so that, for each skin taken by pelagic sealing, as a rule, three lives are destroyed—the mother, the unborn offspring, and the nursing pup, which is left to starve to death. No damage whatever is done to the herd by the carefully regulated killing on land; the custom of pelagic sealing is solely responsible for all of the present evil, and is alike indefensible from the economic standpoint and from the standpoint of humanity.

In 1896 over 16,000 young seals were found dead from starvation on the Pribilof Islands. In 1897 it was estimated that since pelagic sealing began upward of 400,000 adult female seals had been killed at sea, and over 300,000 young seals had died of starvation as the result. The revolting barbarity of such a practise, as well as the wasteful destruction which it involves, needs no demonstration and is its own condemnation. The Bering Sea Tribunal, which sat in Paris in 1893, and which decided against the claims of the United States to exclusive jurisdiction in the waters of Bering Sea and to a property right in the fur seals when outside of the three-mile limit, determined also upon certain regulations which the Tribunal considered sufficient for the proper protection and preservation of the fur seal in, or habitually resorting to, the Bering Sea. The Tribunal by its regulations established a close season, from the 1st of May to the 31st of July, and excluded all killing in the waters within 60 miles around the Pribilof Islands. They also provided that the regulations which they had determined upon, with a view to the protection and preservation of the seals, should be submitted every five years to new examination, so as to enable both interested Governments to consider whether, in the light of past experience, there was occasion for any modification thereof.

The regulations have proved plainly inadequate to accomplish the object of protection and preservation of the fur seals, and for a long time this Government has been trying in vain to secure from Great Britain such revision and modification of the regulations as were contemplated and provided for by the award of the Tribunal of Paris,

The process of destruction has been accelerated during recent years by the appearance of a number of Japanese vessels engaged in pelagic sealing. As these vessels have not been bound even by the inadequate limitations prescribed by the Tribunal of Paris, they have paid no attention either to the close season or to the sixty-mile limit imposed upon the Canadians, and have prosecuted their work up to the very islands themselves. On July 16 and 17 the crews from several Japanese vessels made raids upon the island of St. Paul, and before they were beaten off by the very meager and insufficiently armed guard, they succeeded in killing several hundred seals and carrying off the skins of most of them. Nearly all the seals killed were females and the work was done with frightful barbarity. Many of the seals appear to have been skinned alive and many were found half skinned and still alive. The raids were repelled only by the use of firearms, and five of the raiders were killed, two were wounded, and twelve captured, including the two wounded. Those captured have since been tried and sentenced to imprisonment. An attack of this kind had been wholly unlookt for, but such provision of vessels, arms, and ammunition will now be made that its repetition will not be found profitable.

Suitable representations regarding the incident have been made to the Government of Japan, and we are assured that all practicable measures will be taken by that country to prevent any recurrence of the outrage. On our part, the guard on the island will be increased and better equipped and organized, and a better revenue-cutter patrol service about the islands will be established; next season a United States war vessel will also be sent there.

We have not relaxed our efforts to secure an agreement with Great Britain for adequate protection of the seal herd, and negotiations with Japan for the same purpose are in progress.

The laws for the protection of the seals within the jurisdiction of the United States need revision and amendment. Only the islands of St. Paul and St. George are now, in terms, included in the Government reservation, and the other islands are also to be included. The landing of aliens as well as citizens upon the islands, without a permit from the Department of Commerce and Labor, for any purpose except in case of stress of weather or for water, should be prohibited under adequate penalties. The approach of vessels for the excepted purposes should be regulated. The authority of the Government agents on the islands should be enlarged, and the chief agent should have the powers of a committing magistrate. The entrance of a vessel into the territorial waters surrounding the islands with intent to take seals should be made a criminal offense and cause of forfeiture. Authority for seizures in such cases should be given and the presence on any such vessel of seals or sealskins, or the paraphernalia for taking them, should be

made *prima facie* evidence of such intent. I recommend what legislation is needed to accomplish these ends; and I commend to your attention the report of Mr. Sims, of the Department of Commerce and Labor, on this subject.

In case we are compelled to abandon the hope of making arrangements with other governments to put an end to the hideous cruelty now incident to pelagic sealing, it will be a question for your serious consideration how far we should continue to protect and maintain the seal herd on land with the result of continuing such a practise, and whether it is not better to end the practice by exterminating the herd ourselves in the most humane way possible.

In my last message I advised you that the Emperor of Russia had taken the initiative in bringing about a second peace conference at The Hague. Under the guidance of Russia the arrangement of the preliminaries for such a conference has been progressing during the past year. Progress has necessarily been slow, owing to the great number of countries to be consulted upon every question that has arisen. It is a matter of satisfaction that all of the American Republics have now, for the first time, been invited to join in the proposed conference.

The close connection between the subjects to be taken up by the Red Cross Conference held at Geneva last summer and the subjects which naturally would come before The Hague Conference made it apparent that it was desirable to have the work of the Red Cross Conference completed and considered by the different powers before the meeting at The Hague. The Red Cross Conference ended its labors on the 6th day of July, and the revised and amended convention, which was signed by the American delegates, will be promptly laid before the Senate.

By the special and highly appreciated courtesy of the Governments of Russia and the Netherlands, a proposal to call The Hague Conference together at a time which would conflict with the Conference of the American Republics at Rio de Janeiro in August was laid aside. No other date has yet been suggested. A tentative program for the conference has been proposed by the Government of Russia, and the subjects which it enumerates are undergoing careful examination and consideration in preparation for the conference.

It must ever be kept in mind that war is not merely justifiable, but imperative, upon honorable men, upon an honorable nation, where peace can only be obtained by the sacrifice of conscientious conviction or of national welfare. Peace is normally a great good, and normally it coincides with righteousness; but it is righteousness and not peace which should bind the conscience of a nation as it should bind the conscience of an individual; and neither a nation nor an individual can surrender conscience to another's keeping. Neither can a nation, which

is an entity, and which does not die as individuals die, refrain from taking thought for the interest of the generations that are to come, no less than for the interest of the generation of to-day; and no public men have a right, whether from shortsightedness, from selfish indifference, or from sentimentality, to sacrifice national interests which are vital in character. A just war is in the long run far better for a nation's soul than the most prosperous peace obtained by acquiescence in wrong or injustice. Moreover, tho it is criminal for a nation not to prepare for war, so that it may escape the dreadful consequences of being defeated in war, yet it must always be remembered that even to be defeated in war may be far better than not to have fought at all. As has been well and finely said, a beaten nation is not necessarily a disgraced nation; but the nation or man is disgraced if the obligation to defend right is shirked.

We should as a nation do everything in our power for the cause of honorable peace. It is morally as indefensible for a nation to commit a wrong upon another nation, strong or weak, as for an individual thus to wrong his fellows. We should do all in our power to hasten the day when there shall be peace among the nations—a peace based upon justice and not upon cowardly submission to wrong. We can accomplish a good deal in this direction, but we can not accomplish everything, and the penalty of attempting to do too much would almost inevitably be to do worse than nothing; for it must be remembered that fantastic extremists are not in reality leaders of the causes which they espouse, but are ordinarily those who do most to hamper the real leaders of the cause and to damage the cause itself. As yet there is no likelihood of establishing any kind of international power, of whatever sort, which can effectively check wrongdoing, and in these circumstances it would be both a foolish and an evil thing for a great and free nation to deprive itself of the power to protect its own rights and even in exceptional cases to stand up for the rights of others. Nothing would more promote iniquity, nothing would further defer the reign upon earth of peace and righteousness, than for the free and enlightened peoples which, tho with much stumbling and many shortcomings, nevertheless strive toward justice, deliberately to render themselves powerless while leaving every despotism and barbarism armed and able to work their wicked will. The chance for the settlement of disputes peacefully, by arbitration, now depends mainly upon the possession by the nations that mean to do right of sufficient armed strength to make their purpose effective.

The United States Navy is the surest guarantor of peace which this country possesses. It is earnestly to be wisht that we would profit by the teachings of history in this matter. A strong and wise people will study its own failures no less than its triumphs, for there is wisdom

to be learned from the study of both, of the mistake as well as of the success. For this purpose nothing could be more instructive than a rational study of the war of 1812, as it is told, for instance, by Captain Mahan. There was only one way in which that war could have been avoided. If during the preceding twelve years a navy relatively as strong as that which this country now has had been built up, and an army provided relatively as good as that which the country now has, there never would have been the slightest necessity of fighting the war; and if the necessity had arisen the war would under such circumstances have ended with our speedy and overwhelming triumph. But our people during those twelve years refused to make any preparations whatever, regarding either the Army or the Navy. They saved a million or two of dollars by so doing; and in mere money paid a hundredfold for each million they thus saved during the three years of war which followed—a war which brought untold suffering upon our people, which at one time threatened the gravest national disaster, and which, in spite of the necessity of waging it, resulted merely in what was in effect a drawn battle, while the balance of defeat and triumph was almost even.

I do not ask that we continue to increase our Navy. I ask merely that it be maintained at its present strength; and this can be done only if we replace the obsolete and outworn ships by new and good ones, the equals of any afloat in any navy. To stop building ships for one year means that for that year the Navy goes back instead of forward. The old battle ship *Texas*, for instance, would now be of little service in a stand-up fight with a powerful adversary. The old double-turret monitors have outworn their usefulness, while it was a waste of money to build the modern single-turret monitors. All these ships should be replaced by others; and this can be done by a well-settled program of providing for the building each year of at least one first-class battle ship equal in size and speed to any that any nation is at the same time building; the armament presumably to consist of as large a number as possible of very heavy guns of one caliber, together with smaller guns to repel torpedo attack; while there should be heavy armor, turbine engines, and in short, every modern device. Of course, from time to time, cruisers, colliers, torpedo-boat destroyers or torpedo boats, will have to be built also. All this, be it remembered, would not increase our Navy, but would merely keep it at its present strength. Equally of course, the ships will be absolutely useless if the men aboard them are not so trained that they can get the best possible service out of the formidable but delicate and complicated mechanisms intrusted to their care. The marksmanship of our men has so improved during the last five years that I deem it within bounds to say that the Navy is more than twice as efficient, ship for ship, as half a decade ago. The Navy

can only attain proper efficiency if enough officers and men are provided, and if these officers and men are given the chance (and required to take advantage of it) to stay continually at sea and to exercise the fleets singly and above all in squadron, the exercise to be of every kind and to include unceasing practise at the guns, conducted under conditions that will test marksmanship in time of war.

In both the Army and the Navy there is urgent need that everything possible should be done to maintain the highest standard for the personnel, alike as regards the officers and the enlisted men. I do not believe that in any service there is a finer body of enlisted men and of junior officers than we have in both the Army and the Navy, including the Marine Corps. All possible encouragement to the enlisted men should be given, in pay and otherwise, and everything practicable done to render the service attractive to men of the right type. They should be held to the strictest discharge of their duty, and in them a spirit should be encouraged which demands not the mere performance of duty, but the performance of far more than duty, if it conduces to the honor and the interest of the American nation; and in return the amplest consideration should be theirs.

West Point and Annapolis already turn out excellent officers. We do not need to have these schools made more scholastic. On the contrary we should never lose sight of the fact that the aim of each school is to turn out a man who shall be above everything else a fighting man. In the Army in particular it is not necessary that either the cavalry or infantry officer should have special mathematical ability. Probably in both schools the best part of the education is the high standard of character and of professional morale which it confers.

But in both services there is urgent need for the establishment of a principle of selection which will eliminate men after a certain age if they can not be promoted from the subordinate ranks, and which will bring into the higher ranks fewer men, and these at an earlier age. This principle of selection will be objected to by good men of mediocre capacity, who are fitted to do well while young in the lower positions, but who are not fitted to do well when at an advanced age they come into positions of command and of great responsibility. But the desire of these men to be promoted to positions which they are not competent to fill should not weigh against the interest of the Navy and the country. At present our men, especially in the Navy, are kept far too long in the junior grades, and then, at much too advanced an age, are put quickly thru the senior grades, often not attaining to these senior grades until they are too old to be of real use in them; and if they are of real use, being put thru them so quickly that little benefit to the Navy comes from their having been in them at all.

The Navy has one great advantage over the Army in the fact that

the officers of high rank are actually trained in the continual performance of their duties; that is, in the management of the battle ships and armored cruisers gathered into fleets. This is not true of the army officers, who rarely have corresponding chances to exercise command over troops under service conditions. The conduct of the Spanish war showed the lamentable loss of life, the useless extravagance, and the inefficiency certain to result, if during peace the high officials of the War and Navy Departments are praised and rewarded only if they save money at no matter what cost to the efficiency of the service, and if the higher officers are given no chance whatever to exercise and practise command. For years prior to the Spanish war the Secretaries of War were praised chiefly if they practised economy; which economy, especially in connection with the quartermaster, commissary, and medical departments, was directly responsible for most of the mismanagement that occurred in the war itself—and parenthetically be it observed that the very people who clamored for the misdirected economy in the first place were foremost to denounce the mismanagement, loss, and suffering which were primarily due to this same misdirected economy and to the lack of preparation it involved. There should soon be an increase in the number of men for our coast defenses; these men should be of the right type and properly trained; and there should therefore be an increase of pay for certain skilled grades, especially in the coast artillery. Money should be appropriated to permit troops to be massed in body and exercised in maneuvers, particularly in marching. Such exercise during the summer just past has been of incalculable benefit to the Army and should under no circumstances be discontinued. If on these practise marches and in these maneuvers elderly officers prove unable to bear the strain, they should be retired at once, for the fact is conclusive as to their unfitness for war; that is, for the only purpose because of which they should be allowed to stay in the service. It is a real misfortune to have scores of small company or regimental posts scattered thruout the country; the Army should be gathered in a few brigade or division posts; and the generals should be practised in handling the men in masses. Neglect to provide for all of this means to incur the risk of future disaster and disgrace.

The readiness and efficiency of both the Army and Navy in dealing with the recent sudden crisis in Cuba illustrate afresh their value to the Nation. This readiness and efficiency would have been very much less had it not been for the existence of the General Staff in the Army and the General Board in the Navy; both are essential to the proper development and use of our military forces afloat and ashore. The troops that were sent to Cuba were handled flawlessly. It was the swiftest mobilization and dispatch of troops over sea ever accom-

plished by our Government. The expedition landed completely equipped and ready for immediate service, several of its organizations hardly remaining in Havana over night before splitting up into detachments and going to their several posts. It was a fine demonstration of the value and efficiency of the General Staff. Similarly, it was owing in large part to the General Board that the Navy was able at the outset to meet the Cuban crisis with such instant efficiency; ship after ship appearing on the shortest notice at any threatened point, while the Marine Corps in particular performed indispensable service. The Army and Navy War Colleges are of incalculable value to the two services, and they cooperate with constantly increasing efficiency and importance.

The Congress has most wisely provided for a National Board for the promotion of rifle practise. Excellent results have already come from this law, but it does not go far enough. Our Regular Army is so small that in any great war we should have to trust mainly to volunteers; and in such event these volunteers should already know how to shoot; for if a soldier has the fighting edge, and ability to take care of himself in the open, his efficiency on the line of battle is almost directly proportionate to excellence in marksmanship. We should establish shooting galleries in all the large public and military schools, should maintain national target ranges in different parts of the country, and should in every way encourage the formation of rifle clubs thruout all parts of the land. The little Republic of Switzerland offers us an excellent example in all matters connected with building up an efficient citizen soldiery.

THEODORE ROOSEVELT.

SEVENTH ANNUAL MESSAGE.

WHITE HOUSE, Dec. 3, 1907.

To the Senate and House of Representatives:

No nation has greater resources than ours, and I think it can be truthfully said that the citizens of no nation possess greater energy and industrial ability. In no nation are the fundamental business conditions sounder than in ours at this very moment; and it is foolish, when such is the case, for people to hoard money instead of keeping it in sound banks; for it is such hoarding that is the immediate occasion of money stringency. Moreover, as a rule, the business of our people is conducted with honesty and probity, and this applies alike to farms and factories, to railroads and banks, to all our legitimate commercial enterprises.

In any large body of men, however, there are certain to be some who are dishonest, and if the conditions are such that these men prosper or commit their misdeeds with impunity, their example is a very evil thing for the community. Where these men are business men of great sagacity and of temperament both unscrupulous and reckless, and where the conditions are such that they act without supervision or control and at first without effective check from public opinion, they delude many innocent people into making investments or embarking in kinds of business that are really unsound. When the misdeeds of these successfully dishonest men are discovered, suffering comes not only upon them, but upon the innocent men whom they have misled. It is a painful awakening, whenever it occurs; and, naturally, when it does occur those who suffer are apt to forget that the longer it was deferred the more painful it would be. In the effort to punish the guilty it is both wise and proper to endeavor so far as possible to minimize the distress of those who have been misled by the guilty. Yet it is not possible to refrain because of such distress from striving to put an end to the misdeeds that are the ultimate causes of the suffering, and, as a means to this end, where possible to punish those responsible for them. There may be honest differences of opinion as to many governmental policies; but surely there can be no such differences as to the need of unflinching perseverance in the war against successful dishonesty.

In my Message to the Congress on December 5, 1905, I said:

"If the folly of man mars the general well-being, then those who are innocent of the folly will have to pay part of the penalty incurred by those who are guilty of the folly. A panic brought on by the speculative folly of part of the business community would hurt the whole business community; but such stoppage of welfare, though it might be severe, would not be lasting. In the long run, the one vital factor in the permanent prosperity of the country is the high individual character of the average American worker, the average American citizen, no matter whether his work be mental or manual, whether he be farmer or wage-worker, business man or professional man.

"In our industrial and social system the interests of all men are so closely intertwined that in the immense majority of cases a straight-dealing man, who by his efficiency, by his ingenuity and industry, benefits himself, must also benefit others. Normally, the man of great productive capacity who becomes rich by guiding the labor of many other men does so by enabling them to produce more than they could produce without his guidance; and both he and they share in the benefit, which comes also to the public at large. The superficial fact that the sharing may be unequal must never blind us to the underlying fact that there is this sharing, and that the benefit comes in some degree

to each man concerned. Normally, the wageworker, the man of small means, and the average consumer, as well as the average producer, are all alike helped by making conditions such that the man of exceptional business ability receives an exceptional reward for his ability. Something can be done by legislation to help the general prosperity; but no such help of a permanently beneficial character can be given to the less able and less fortunate save as the results of a policy which shall inure to the advantage of all industrious and efficient people who act decently; and this is only another way of saying that any benefit which comes to the less able and less fortunate must of necessity come even more to the more able and more fortunate. If, therefore, the less fortunate man is moved by envy of his more fortunate brother to strike at the conditions under which they have both, though unequally, prospered, the result will assuredly be that while damage may come to the one struck at, it will visit with an even heavier load the one who strikes the blow. Taken as a whole, we must all go up or go down together.

"Yet, while not merely admitting, but insisting upon this, it is also true that where there is no governmental restraint or supervision some of the exceptional men use their energies, not in ways that are for the common good, but in ways which tell against this common good. The fortunes amassed through corporate organization are now so large, and vest such power in those that wield them, as to make it a matter of necessity to give to the sovereign—that is, to the Government, which represents the people as a whole—some effective power of supervision over their corporate use. In order to insure a healthy social and industrial life, every big corporation should be held responsible by, and be accountable to, some sovereign strong enough to control its conduct. I am in no sense hostile to corporations. This is an age of combination, and any effort to prevent all combination will be not only useless, but in the end vicious, because of the contempt for law which the failure to enforce law inevitably produces. We should, moreover, recognize in cordial and ample fashion the immense good effected by corporate agencies in a country such as ours, and the wealth of intellect, energy, and fidelity devoted to their service, and therefore normally to the service of the public, by their officers and directors. The corporation has come to stay, just as the trade union has come to stay. Each can do and has done great good. Each should be favored so long as it does good. But each should be sharply checked where it acts against law and justice.

"* * * The makers of our National Constitution provided especially that the regulation of interstate commerce should come within the sphere of the General Government. The arguments in favor of their taking this stand were even then overwhelming. But they are

far stronger to-day, in view of the enormous development of great business agencies, usually corporate in form. Experience has shown conclusively that it is useless to try to get any adequate regulation and supervision of these great corporations by State action. Such regulation and supervision can only be effectively exercised by a sovereign whose jurisdiction is coextensive with the field of work of the corporations—that is, by the National Government. I believe that this regulation and supervision can be obtained by the enactment of law by the Congress. * * * Our steady aim should be by legislation, cautiously and carefully undertaken, but resolutely persevered in, to assert the sovereignty of the National Government by affirmative action.

“This is only in form an innovation. In substance it is merely a restoration; for from the earliest time such regulation of industrial activities has been recognized in the action of the lawmaking bodies; and all that I propose is to meet the changed conditions in such manner as will prevent the Commonwealth abdicating the power it has always possessed, not only in this country, but also in England before and since this country became a separate nation.

“It has been a misfortune that the National laws on this subject have hitherto been of a negative or prohibitive rather than an affirmative kind, and still more that they have in part sought to prohibit what could not be effectively prohibited, and have in part in their prohibitions confounded what should be allowed and what should not be allowed. It is generally useless to try to prohibit all restraint on competition, whether this restraint be reasonable or unreasonable; and where it is not useless it is generally hurtful. * * * The successful prosecution of one device to evade the law immediately develops another device to accomplish the same purpose. What is needed is not sweeping prohibition of every arrangement, good or bad, which may tend to restrict competition, but such adequate supervision and regulation as will prevent any restriction of competition from being to the detriment of the public, as well as such supervision and regulation as will prevent other abuses in no way connected with restriction of competition.”

I have called your attention in these quotations to what I have already said because I am satisfied that it is the duty of the National Government to embody in action the principles thus expressed.

No small part of the trouble that we have comes from carrying to an extreme the national virtue of self-reliance, of independence in initiative and action. It is wise to conserve this virtue and to provide for its fullest exercise, compatible with seeing that liberty does not become a liberty to wrong others. Unfortunately, this is the kind of liberty that the lack of all effective regulation inevitably breeds. The founders of the Constitution provided that the National Government

should have complete and sole control of interstate commerce. There was then practically no interstate business save such as was conducted by water, and this the National Government at once proceeded to regulate in thoroughgoing and effective fashion. Conditions have now so wholly changed that the interstate commerce by water is insignificant compared with the amount that goes by land, and almost all big business concerns are now engaged in interstate commerce. As a result, it can be but partially and imperfectly controlled or regulated by the action of any one of the several States; such action inevitably tending to be either too drastic or else too lax, and in either case ineffective for purposes of justice. Only the National Government can in thoroughgoing fashion exercise the needed control. This does not mean that there should be any extension of Federal authority, for such authority already exists under the Constitution in amplest and most far-reaching form; but it does mean that there should be an extension of Federal activity. This is not advocating centralization. It is merely looking facts in the face, and realizing that centralization in business has already come and can not be avoided or undone, and that the public at large can only protect itself from certain evil effects of this business centralization by providing better methods for the exercise of control through the authority already centralized in the National Government by the Constitution itself. There must be no halt in the healthy constructive course of action which this Nation has elected to pursue, and has steadily pursued, during the last six years, as shown both in the legislation of the Congress and the administration of the law by the Department of Justice. The most vital need is in connection with the railroads. As to these, in my judgment there should now be either a national incorporation act or a law licensing railway companies to engage in interstate commerce upon certain conditions. The law should be so framed as to give to the Interstate Commerce Commission power to pass upon the future issue of securities, while ample means should be provided to enable the Commission, whenever in its judgment it is necessary, to make a physical valuation of any railroad. As I stated in my Message to the Congress a year ago, railroads should be given power to enter into agreements, subject to these agreements being made public in minute detail and to the consent of the Interstate Commerce Commission being first obtained. Until the National Government assumes proper control of interstate commerce, in the exercise of the authority it already possesses, it will be impossible either to give to or to get from the railroads full justice. The railroads and all other great corporations will do well to recognize that this control must come; the only question is as to what governmental body can most wisely exercise it. The courts will determine the limits within which the Federal authority can exercise it, and there will still remain ample

work within each State for the railway commission of that State; and the National Interstate Commerce Commission will work in harmony with the several State commissions, each within its own province, to achieve the desired end.

Moreover, in my judgment there should be additional legislation looking to the proper control of the great business concerns engaged in interstate business, this control to be exercised for their own benefit and prosperity no less than for the protection of investors and of the general public. As I have repeatedly said in Messages to the Congress and elsewhere, experience has definitely shown not merely the unwisdom but the futility of endeavoring to put a stop to all business combinations. Modern industrial conditions are such that combination is not only necessary but inevitable. It is so in the world of business just as it is so in the world of labor, and it is as idle to desire to put an end to all corporations, to all big combinations of capital, as to desire to put an end to combinations of labor. Corporation and labor union alike have come to stay. Each if properly managed is a source of good and not evil. Whenever in either there is evil, it should be promptly held to account; but it should receive hearty encouragement so long as it is properly managed. It is profoundly immoral to put or keep on the statute books a law, nominally in the interest of public morality, that really puts a premium upon public immorality, by undertaking to forbid honest men from doing what must be done under modern business conditions, so that the law itself provides that its own infraction must be the condition precedent upon business success. To aim at the accomplishment of too much usually means the accomplishment of too little, and often the doing of positive damage. In my Message to the Congress a year ago, in speaking of the antitrust laws, I said:

"The actual working of our laws has shown that the effort to prohibit all combination, good or bad, is noxious where it is not ineffective. Combination of capital, like combination of labor, is a necessary element in our present industrial system. It is not possible completely to prevent it; and if it were possible, such complete prevention would do damage to the body politic. What we need is not vainly to try to prevent all combination, but to secure such rigorous and adequate control and supervision of the combinations as to prevent their injuring the public, or existing in such forms as inevitably to threaten injury. * * * It is unfortunate that our present laws should forbid all combinations instead of sharply discriminating between those combinations which do evil. * * * Often railroads would like to combine for the purpose of preventing a big shipper from maintaining improper advantages at the expense of small shippers and of the general public. Such a combination, instead of being forbidden by law,

should be favored. * * * It is a public evil to have on the statute books a law incapable of full enforcement, because both judges and juries realize that its full enforcement would destroy the business of the country; for the result is to make decent men violators of the law against their will, and to put a premium on the behavior of the willful wrongdoers. Such a result in turn tends to throw the decent man and the willful wrongdoer into close association, and in the end to drag down the former to the latter's level; for the man who becomes a lawbreaker in one way unhappily tends to lose all respect for law and to be willing to break it in many ways. No more scathing condemnation could be visited upon a law than is contained in the words of the Interstate Commerce Commission when, in commenting upon the fact that the numerous joint traffic associations do technically violate the law, they say: 'The decision of the United States Supreme Court in the Trans-Missouri case and the Joint Traffic Association case has produced no practical effect upon the railway operations of the country. Such associations, in fact, exist now as they did before these decisions, and with the same general effect. In justice to all parties, we ought probably to add that it is difficult to see how our interstate railways could be operated with due regard to the interest of the shipper and the railway without concerted action of the kind afforded through these associations.'

"This means that the law as construed by the Supreme Court is such that the business of the country can not be conducted without breaking it."

As I have elsewhere said:

'All this is substantially what I have said over and over again. Surely it ought not to be necessary to say that it in no shape or way represents any hostility to corporations as such. On the contrary, it means a frank recognition of the fact that combinations of capital, like combinations of labor, are a natural result of modern conditions and of our National development. As far as in my ability lies my endeavor is and will be to prevent abuse of power by either and to favor both so long as they do well. The aim of the National Government is quite as much to favor and protect honest corporations, honest business men of wealth, as to bring to justice those individuals and corporations representing dishonest methods. Most certainly there will be no relaxation by the Government authorities in the effort to get at any great railroad wrecker—any man who by clever swindling devices robs investors, oppresses wage-workers, and does injustice to the general public. But any such move as this is in the interest of honest railway operators, of honest corporations, and of those who, when they invest their small savings in stocks and bonds, wish to be assured that these will represent money honestly expended for legiti-

mate business purposes. To confer upon the National Government the power for which I ask would be a check upon overcapitalization and upon the clever gamblers who benefit by overcapitalization. But it alone would mean an increase in the value, an increase in the safety of the stocks and bonds of law-abiding, honestly managed railroads, and would render it far easier to market their securities. I believe in proper publicity. There has been complaint of some of the investigations recently carried on, but those who complain should put the blame where it belongs—upon the misdeeds which are done in darkness and not upon the investigations which brought them to light. The Administration is responsible for turning on the light, but it is not responsible for what the light showed. I ask for full power to be given the Federal Government, because no single State can by legislation effectually cope with these powerful corporations engaged in interstate commerce, and, while doing them full justice, exact from them in return full justice to others. The conditions of railroad activity, the conditions of our immense interstate commerce, are such as to make the Central Government alone competent to exercise full supervision and control.

"The grave abuses in individual cases of railroad management in the past represent wrongs not merely to the general public, but, above all, wrongs to fair-dealing and honest corporations and men of wealth, because they excite a popular anger and distrust which from the very nature of the case tends to include in the sweep of its resentment good and bad alike. From the standpoint of the public I can not too earnestly say that as soon as the natural and proper resentment aroused by these abuses becomes indiscriminate and unthinking, it also becomes not merely unwise and unfair, but calculated to defeat the very ends which those feeling it have in view. There has been plenty of dishonest work by corporations in the past. There will not be the slightest let-up in the effort to hunt down and punish every dishonest man. But the bulk of our business is honestly done. In the natural indignation the people feel over the dishonesty, it is essential that they should not lose their heads and get drawn into an indiscriminate raid upon all corporations, all people of wealth, whether they do well or ill. Out of any such wild movement good will not come, can not come, and never has come. On the contrary, the surest way to invite reaction is to follow the lead of either demagogue or visionary in a sweeping assault upon property values and upon public confidence, which would work incalculable damage in the business world and would produce such distrust of the agitators that in the revulsion the distrust would extend to honest men who, in sincere and same fashion, are trying to remedy the evils."

The antitrust law should not be repealed; but it should be made both

more efficient and more in harmony with actual conditions. It should be so amended as to forbid only the kind of combination which does harm to the general public, such amendment to be accompanied by, or to be an incident of, a grant of supervisory power to the Government over these big concerns engaged in interstate business. This should be accompanied by provision for the compulsory publication of accounts and the subjection of books and papers to the inspection of the Government officials. A beginning has already been made for such supervision by the establishment of the Bureau of Corporations.

The antitrust law should not prohibit combinations that do no injustice to the public, still less those the existence of which is on the whole of benefit to the public. But even if this feature of the law were abolished, there would remain as an equally objectionable feature the difficulty and delay now incident to its enforcement. The Government must now submit to irksome and repeated delay before obtaining a final decision of the courts upon proceedings instituted, and even a favorable decree may mean an empty victory. Moreover, to attempt to control these corporations by lawsuits means to impose upon both the Department of Justice and the courts an impossible burden; it is not feasible to carry on more than a limited number of such suits. Such a law to be really effective must of course be administered by an executive body, and not merely by means of lawsuits. The design should be to prevent the abuses incident to the creation of unhealthy and improper combinations, instead of waiting until they are in existence and then attempting to destroy them by civil or criminal proceedings.

A combination should not be tolerated if it abuse the power acquired by combination to the public detriment. No corporation or association of any kind should be permitted to engage in foreign or interstate commerce that is formed for the purpose of, or whose operations create, a monopoly or general control of the production, sale, or distribution of any one or more of the prime necessities of life or articles of general use and necessity. Such combinations are against public policy; they violate the common law; the doors of the courts are closed to those who are parties to them, and I believe the Congress can close the channels of interstate commerce against them for its protection. The law should make its prohibitions and permissions as clear and definite as possible, leaving the least possible room for arbitrary action, or allegation of such action, on the part of the Executive, or of divergent interpretations by the courts. Among the points to be aimed at should be the prohibition of unhealthy competition, such as by rendering service at an actual loss for the purpose of crushing out competition, the prevention of inflation of capital, and the prohibition of a corporation's making exclusive trade with itself a condition of having any trade with

itself. Reasonable agreements between, or combinations of, corporations should be permitted, provided they are submitted to and approved by some appropriate Government body.

The Congress has the power to charter corporations to engage in interstate and foreign commerce, and a general law can be enacted under the provisions of which existing corporations could take out Federal charters and new Federal corporations could be created. An essential provision of such a law should be a method of predetermining by some Federal board or commission whether the applicant for a Federal charter was an association or combination within the restrictions of the Federal law. Provision should also be made for complete publicity in all matters affecting the public and complete protection to the investing public and the shareholders in the matter of issuing corporate securities. If an incorporation law is not deemed advisable, a license act for big interstate corporations might be enacted; or a combination of the two might be tried. The supervision established might be analogous to that now exercised over national banks. At least, the antitrust act should be supplemented by specific prohibitions of the methods which experience has shown have been of most service in enabling monopolistic combinations to crush out competition. The real owners of a corporation should be compelled to do business in their own name. The right to hold stock in other corporations should hereafter be denied to interstate corporations, unless on approval by the Government officials, and a prerequisite to such approval should be the listing with the Government of all owners and stockholders, both by the corporation owning such stock and by the corporation in which such stock is owned.

To confer upon the National Government, in connection with the amendment I advocate in the antitrust law, power of supervision over big business concerns engaged in interstate commerce, would benefit them as it has benefited the national banks. In the recent business crisis it is noteworthy that the institutions which failed were institutions which were not under the supervision and control of the National Government. Those which were under National control stood the test.

National control of the kind above advocated would be to the benefit of every well-managed railway. From the standpoint of the public there is need for additional tracks, additional terminals, and improvements in the actual handling of the railroads, and all this as rapidly as possible. Ample, safe, and speedy transportation facilities are even more necessary than cheap transportation. Therefore, there is need for the investment of money which will provide for all these things while at the same time securing as far as is possible better wages and shorter hours for their employees. Therefore, while there must be just and reason-

able regulation of rates, we should be the first to protest against any arbitrary and unthinking movement to cut them down without the fullest and most careful consideration of all interests concerned and of the actual needs of the situation. Only a special body of men acting for the National Government under authority conferred upon it by the Congress is competent to pass judgment on such a matter.

Those who fear, from any reason, the extension of Federal activity will do well to study the history not only of the national banking act but of the pure-food law, and notably the meat inspection law recently enacted. The pure-food law was opposed so violently that its passage was delayed for a decade; yet it has worked unmixed and immediate good. The meat inspection law was even more violently assailed; and the same men who now denounce the attitude of the National Government in seeking to oversee and control the workings of interstate common carriers and business concerns, then asserted that we were "discrediting and ruining a great American industry." Two years have not elapsed, and already it has become evident that the great benefit the law confers upon the public is accompanied by an equal benefit to the reputable packing establishments. The latter are better off under the law than they were without it. The benefit to interstate common carriers and business concerns from the legislation I advocate would be equally marked.

Incidentally, in the passage of the pure-food law the action of the various State food and dairy commissioners showed in striking fashion how much good for the whole people results from the hearty cooperation of the Federal and State officials in securing a given reform. It is primarily to the action of these State commissioners that we owe the enactment of this law; for they aroused the people, first to demand the enactment and enforcement of State laws on the subject, and then the enactment of the Federal law, without which the State laws were largely ineffective. There must be the closest cooperation between the National and State governments in administering these laws.

In my Message to the Congress a year ago I spoke as follows of the currency:

"I especially call your attention to the condition of our currency laws. The national-bank act has ably served a great purpose in aiding the enormous business development of the country, and within ten years there has been an increase in circulation per capita from \$21.41 to \$33.08. For several years evidence has been accumulating that additional legislation is needed. The recurrence of each crop season emphasizes the defects of the present laws. There must soon be a revision of them, because to leave them as they are means to incur liability of business disaster. Since your body adjourned there has been a fluctuation in the interest on call money from 2 per cent to 30 per

cent, and the fluctuation was even greater during the preceding six months. The Secretary of the Treasury had to step in and by wise action put a stop to the most violent period of oscillation. Even worse than such fluctuation is the advance in commercial rates and the uncertainty felt in the sufficiency of credit even at high rates. All commercial interests suffer during each crop period. Excessive rates for call money in New York attract money from the interior banks into the speculative field. This depletes the fund that would otherwise be available for commercial uses, and commercial borrowers are forced to pay abnormal rates, so that each fall a tax, in the shape of increased interest charges, is placed on the whole commerce of the country.

"The mere statement of these facts shows that our present system is seriously defective. There is need of a change. Unfortunately, however, many of the proposed changes must be ruled from consideration because they are complicated, are not easy of comprehension, and tend to disturb existing rights and interests. We must also rule out any plan which would materially impair the value of the United States 2 per cent bonds now pledged to secure circulation, the issue of which was made under conditions peculiarly creditable to the Treasury. I do not press any especial plan. Various plans have recently been proposed by expert committees of bankers. Among the plans which are possibly feasible and which certainly should receive your consideration is that repeatedly brought to your attention by the present Secretary of the Treasury, the essential features of which have been approved by many prominent bankers and business men. According to this plan national banks should be permitted to issue a specified proportion of their capital in notes of a given kind, the issue to be taxed at so high a rate as to drive the notes back when not wanted in legitimate trade. This plan would not permit the issue of currency to give banks additional profits, but to meet the emergency presented by times of stringency.

"I do not say that this is the right system. I only advance it to emphasize my belief that there is need for the adoption of some system which shall be automatic and open to all sound banks, so as to avoid all possibility of discrimination and favoritism. Such a plan would tend to prevent the spasms of high money and speculation which now obtain in the New York market; for at present there is too much currency at certain seasons of the year, and its accumulation at New York tempts bankers to lend it at low rates for speculative purposes; whereas at other times when the crops are being moved there is urgent need for a large but temporary increase in the currency supply. It must never be forgotten that this question concerns business men generally quite as much as bankers; especially is this true of stockmen, farmers, and business men in the West; for at present at certain sea-

sons of the year the difference in interest rates between the East and the West is from 6 to 10 per cent, whereas in Canada the corresponding difference is but 2 per cent. Any plan must, of course, guard the interests of western and southern bankers as carefully as it guards the interests of New York or Chicago bankers, and must be drawn from the standpoints of the farmer and the merchant no less than from the standpoints of the city banker and the country banker."

I again urge on the Congress the need of immediate attention to this matter. We need a greater elasticity in our currency; provided, of course, that we recognize the even greater need of a safe and secure currency. There must always be the most rigid examination by the National authorities. Provision should be made for an emergency currency. The emergency issue should, of course, be made with an effective guaranty, and upon conditions carefully prescribed by the Government. Such emergency issue must be based on adequate securities approved by the Government, and must be issued under a heavy tax. This would permit currency being issued when the demand for it was urgent, while securing its requirement as the demand fell off. It is worth investigating to determine whether officers and directors of national banks should ever be allowed to loan to themselves. Trust companies should be subject to the same supervision as banks; legislation to this effect should be enacted for the District of Columbia and the Territories.

Yet we must also remember that even the wisest legislation on the subject can only accomplish a certain amount. No legislation can by any possibility guarantee the business community against the results of speculative folly any more than it can guarantee an individual against the results of his extravagance. When an individual mortgages his house to buy an automobile he invites disaster; and when wealthy men, or men who pose as such, or are unscrupulously or foolishly eager to become such, indulge in reckless speculation—especially if it is accompanied by dishonesty—they jeopardize not only their own future but the future of all their innocent fellow-citizens, for the expose the whole business community to panic and distress.

The income account of the Nation is in a most satisfactory condition. For the six fiscal years ending with the 1st of July last, the total expenditures and revenues of the National Government, exclusive of the postal revenues and expenditures, were, in round numbers, revenues, \$3,465,000,000, and expenditures, \$3,275,000,000. The net excess of income over expenditures, including in the latter the fifty millions expended for the Panama Canal, was one hundred and ninety million dollars for the six years, an average of about thirty-one millions a year. This represents an approximation between income and outgo which it would be hard to improve. The satisfactory working of the

present tariff law has been chiefly responsible for this excellent showing. Nevertheless, there is an evident and constantly growing feeling among our people that the time is rapidly approaching when our system of revenue legislation must be revised.

This country is definitely committed to the protective system and any effort to uproot it could not but cause widespread industrial disaster. In other words, the principle of the present tariff law could not with wisdom be changed. But in a country of such phenomenal growth as ours it is probably well that every dozen years or so the tariff laws should be carefully scrutinized so as to see that no excessive or improper benefits are conferred thereby, that proper revenue is provided, and that our foreign trade is encouraged. There must always be as a minimum a tariff which will not only allow for the collection of an ample revenue but which will at least make good the difference in cost of production here and abroad; that is, the difference in the labor cost here and abroad, for the well-being of the wage-worker must ever be a cardinal point of American policy. The question should be approached purely from a business standpoint; both the time and the manner of the change being such as to arouse the minimum of agitation and disturbance in the business world, and to give the least play for selfish and factional motives. The sole consideration should be to see that the sum total of changes represents the public good. This means that the subject can not with wisdom be dealt with in the year preceding a Presidential election, because as a matter of fact experience has conclusively shown that at such a time it is impossible to get men to treat it from the standpoint of the public good. In my judgment the wise time to deal with the matter is immediately after such election.

When our tax laws are revised the question of an income tax and an inheritance tax should receive the careful attention of our legislators. In my judgment both of these taxes should be part of our system of Federal taxation. I speak diffidently about the income tax because one scheme for an income tax was declared unconstitutional by the Supreme Court; while in addition it is a difficult tax to administer in its practical working, and great care would have to be exercised to see that it was not evaded by the very men whom it was most desirable to have taxed, for if so evaded it would, of course, be worse than no tax at all; as the least desirable of all taxes is the tax which bears heavily upon the honest as compared with the dishonest man. Nevertheless, a graduated income tax of the proper type would be a desirable feature of Federal taxation, and it is to be hoped that one may be devised which the Supreme Court will declare constitutional. The inheritance tax, however, is both a far better method of taxation, and far more important for the purpose of having the fortunes of the country bear in proportion to their increase in size a corresponding increase

and burden of taxation. The Government has the absolute right to decide as to the terms upon which a man shall receive a bequest or devise from another, and this point in the devolution of property is especially appropriate for the imposition of a tax. Laws imposing such taxes have repeatedly been placed upon the National statute books and as repeatedly declared constitutional by the courts; and these laws contained the progressive principle, that is, after a certain amount is reached the bequest or gift, in life or death, is increasingly burdened and the rate of taxation is increased in proportion to the remoteness of blood of the man receiving the bequest. These principles are recognized already in the leading civilized nations of the world. In Great Britain all the estates worth \$5,000 or less are practically exempt from death duties, while the increase is such that when an estate exceeds five millions of dollars in value and passes to a distant kinsman or stranger in blood the Government receives all told an amount equivalent to nearly a fifth of the whole estate. In France so much of an inheritance as exceeds \$10,000,000 pays over a fifth to the State if it passes to a distant relative. The German law is especially interesting to us because it makes the inheritance tax an imperial measure while allotting to the individual States of the Empire a portion of the proceeds and permitting them to impose taxes in addition to those imposed by the Imperial Government. Small inheritances are exempt, but the tax is so sharply progressive that when the inheritance is still not very large, provided it is not an agricultural or a forest land, it is taxed at the rate of 25 per cent if it goes to distant relatives. There is no reason why in the United States the National Government should not impose inheritance taxes in addition to those imposed by the States, and when we last had an inheritance tax about one-half of the States levied such taxes concurrently with the National Government, making a combined maximum rate, in some cases as high as 25 per cent. The French law has one feature which is to be heartily commended. The progressive principle is so applied that each higher rate is imposed only on the excess above the amount subject to the next lower rate; so that each increase of rate will apply only to a certain amount above a certain maximum. The tax should if possible be made to bear more heavily upon those residing without the country than within it. A heavy progressive tax upon a very large fortune is in no way such a tax upon thrift or industry as a like would be on a small fortune. No advantage comes either to the country as a whole or to the individuals inheriting the money by permitting the transmission in their entirety of the enormous fortunes which would be affected by such a tax; and as an incident to its function of revenue raising, such a tax would help to preserve a measurable equality of opportunity for the people of the generations growing to manhood. We have not the slightest sym-

pathy with that socialistic idea which would try to put laziness, thriftlessness and inefficiency on a par with industry, thrift and efficiency; which would strive to break up not merely private property, but what is far more important, the home, the chief prop upon which our whole civilization stands. Such a theory, if ever adopted, would mean the ruin of the entire country—a ruin which would bear heaviest upon the weakest, upon those least able to shift for themselves. But proposals for legislation such as this herein advocated are directly opposed to this class of socialistic theories. Our aim is to recognize what Lincoln pointed out: The fact that there are some respects in which men are obviously not equal; but also to insist that there should be an equality of self-respect and of mutual respect, an equality of rights before the law, and at least an approximate equality in the conditions under which each man obtains the chance to show the stuff that is in him when compared to his fellows.

A few years ago there was loud complaint that the law could not be invoked against wealthy offenders. There is no such complaint now. The course of the Department of Justice during the last few years has been such as to make it evident that no man stands above the law, that no corporation is so wealthy that it can not be held to account. The Department of Justice has been as prompt to proceed against the wealthiest malefactor whose crime was one of greed and cunning as to proceed against the agitator who incites to brutal violence. Everything that can be done under the existing law, and with the existing state of public opinion, which so profoundly influences both the courts and juries, has been done. But the laws themselves need strengthening in more than one important point; they should be made more definite, so that no honest man can be led unwittingly to break them, and so that the real wrongdoer can be readily punished.

Moreover, there must be the public opinion back of the laws or the laws themselves will be of no avail. At present, while the average jurymen undoubtedly wishes to see trusts broken up, and is quite ready to fine the corporation itself, he is very reluctant to find the facts proven beyond a reasonable doubt when it comes to sending to jail a member of the business community for indulging in practices which are profoundly unhealthy, but which, unfortunately, the business community has grown to recognize as well-nigh normal. Both the present condition of the law and the present temper of juries render it a task of extreme difficulty to get at the real wrongdoer in any such case, especially by imprisonment. Yet it is from every standpoint far preferable to punish the prime offender by imprisonment rather than to fine the corporation, with the attendant damage to stockholders.

The two great evils in the execution of our criminal laws to-day are sentimentality and technicality. For the latter the remedy must come

from the hands of the legislatures, the courts, and the lawyers. The other must depend for its cure upon the gradual growth of a sound public opinion which shall insist that regard for the law and the demands of reason shall control all other influences and emotions in the jury box. Both of these evils must be removed or public discontent with the criminal law will continue.

Instances of abuse in the granting of injunctions in labor disputes continue to occur, and the resentment in the minds of those who feel that their rights are being invaded and their liberty of action and of speech unwarrantably restrained continues likewise to grow. Much of the attack on the use of the process of injunction is wholly without warrant; but I am constrained to express the belief that for some of it there is warrant. This question is becoming more and more one of prime importance, and unless the courts will themselves deal with it in effective manner, it is certain ultimately to demand some form of legislative action. It would be most unfortunate for our social welfare if we should permit many honest and law-abiding citizens to feel that they had just cause for regarding our courts with hostility. I earnestly commend to the attention of the Congress this matter, so that some way may be devised which will limit the abuse of injunctions and protect those rights which from time to time it unwarrantably invades. Moreover, discontent is often expressed with the use of the process of injunction by the courts, not only in labor disputes, but where State laws are concerned. I refrain from discussion of this question as I am informed that it will soon receive the consideration of the Supreme Court.

The Federal courts must of course decide ultimately what are the respective spheres of State and Nation in connection with any law, State or National, and they must decide definitely and finally in matters affecting individual citizens, not only as to the rights and wrongs of labor but as to the rights and wrongs of capital; and the National Government must always see that the decision of the court is put into effect. The process of injunction is an essential adjunct of the court's doing its work well; and as preventive measures are always better than remedial, the wise use of this process is from every standpoint commendable. But where it is recklessly or unnecessarily used, the abuse should be censured, above all by the very men who are properly anxious to prevent any effort to shear the courts of this necessary power. The court's decision must be final; the protest is only against the conduct of individual judges in needlessly anticipating such final decision, or in the tyrannical use of what is nominally a temporary injunction to accomplish what is in fact a permanent decision.

The loss of life and limb from railroad accidents in this country has become appalling. It is a subject of which the National Government

should take supervision. It might be well to begin by providing for a Federal inspection of interstate railroads somewhat along the lines of Federal inspection of steamboats, although not going so far; perhaps at first all that it would be necessary to have would be some officer whose duty would be to investigate all accidents on interstate railroads and report in detail the causes thereof. Such an officer should make it his business to get into close touch with railroad operating men so as to become thoroughly familiar with every side of the question, the idea being to work along the lines of the present steamboat inspection law.

The National Government should be a model employer. It should demand the highest quality of service from each of its employees and it should care for all of them properly in return. Congress should adopt legislation providing limited but definite compensation for accidents to all workmen within the scope of the Federal power, including employees of navy yards and arsenals. In other words, a model employers' liability act, far-reaching and thoroughgoing, should be enacted which should apply to all positions, public and private, over which the National Government has jurisdiction. The number of accidents to wage-workers, including those that are preventable and those that are not, has become appalling in the mechanical, manufacturing, and transportation operations of the day. It works grim hardship to the ordinary wage-worker and his family to have the effect of such an accident fall solely upon him; and, on the other hand, there are whole classes of attorneys who exist only by inciting men who may or may not have been wronged to undertake suits for negligence. As a matter of fact a suit for negligence is generally an inadequate remedy for the person injured, while it often causes altogether disproportionate annoyance to the employer. The law should be made such that the payment for accidents by the employer would be automatic instead of being a matter for lawsuits. Workmen should receive certain and definite compensation for all accidents in industry irrespective of negligence. The employer is the agent of the public and on his own responsibility and for his own profit he serves the public. When he starts in motion agencies which create risks for others, he should take all the ordinary and extraordinary risks involved; and the risk he thus at the moment assumes will ultimately be assumed, as it ought to be, by the general public. Only in this way can the shock of the accident be diffused, instead of falling upon the man or woman least able to bear it, as is now the case. The community at large should share the burdens as well as the benefits of industry. By the proposed law, employers would gain a desirable certainty of obligation and get rid of litigation to determine it, while the workman and his family would be relieved from a crushing load. With such a policy would come increased care,

and accidents would be reduced in number. The National laws providing for employers' liability on railroads engaged in interstate commerce and for safety appliances, as well as for diminishing the hours any employee of a railroad should be permitted to work, should all be strengthened wherever in actual practice they have shown weakness; they should be kept on the statute books in thoroughgoing form.

The constitutionality of the employers' liability act passed by the preceding Congress has been carried before the courts. In two jurisdictions the law has been declared unconstitutional, and in three jurisdictions its constitutionality has been affirmed. The question has been carried to the Supreme Court, the case has been heard by that tribunal, and a decision is expected at an early date. In the event that the court should affirm the constitutionality of the act, I urge further legislation along the lines advocated in my Message to the preceding Congress. The practice of putting the entire burden of loss to life or limb upon the victim or the victim's family is a form of social injustice in which the United States stands in unenviable prominence. In both our Federal and State legislation we have, with few exceptions, scarcely gone farther than the repeal of the fellow-servant principle of the old law of liability, and in some of our States even this slight modification of a completely outgrown principle has not yet been secured. The legislation of the rest of the industrial world stands out in striking contrast to our backwardness in this respect. Since 1895 practically every country of Europe, together with Great Britain, New Zealand, Australia, British Columbia, and the Cape of Good Hope has enacted legislation embodying in one form or another the complete recognition of the principle which places upon the employer the entire trade risk in the various lines of industry. I urge upon the Congress the enactment of a law which will at the same time bring Federal legislation up to the standard already established by all the European countries, and which will serve as a stimulus to the various States to perfect their legislation in this regard.

The Congress should consider the extension of the eight-hour law. The constitutionality of the present law has recently been called into question, and the Supreme Court has decided that the existing legislation is unquestionably within the powers of the Congress. The principle of the eight-hour day should as rapidly and as far as practicable be extended to the entire work carried on by the Government; and the present law should be amended to embrace contracts on those public works which the present wording of the act has been construed to exclude. The general introduction of the eight-hour day should be the goal toward which we should steadily tend, and the Government should set the example in this respect.

Strikes and lockouts, with their attendant loss and suffering, con-

tinue to increase. For the five years ending December 31, 1905, the number of strikes was greater than those in any previous ten years and was double the number in the preceding five years. These figures indicate the increasing need of providing some machinery to deal with this class of disturbance in the interest alike of the employer, the employee, and the general public. I renew my previous recommendation that the Congress favorably consider the matter of creating the machinery for compulsory investigation of such industrial controversies as are of sufficient magnitude and of sufficient concern to the people of the country as a whole to warrant the Federal Government in taking action.

The need for some provision for such investigation was forcibly illustrated during the past summer. A strike of telegraph operators seriously interfered with telegraphic communication, causing great damage to business interests and serious inconvenience to the general public. Appeals were made to me from many parts of the country, from city councils, from boards of trade, from chambers of commerce, and from labor organizations, urging that steps be taken to terminate the strike. Everything that could with any propriety be done by a representative of the Government was done, without avail, and for weeks the public stood by and suffered without recourse of any kind. Had the machinery existed and had there been authority for compulsory investigation of the dispute, the public would have been placed in possession of the merits of the controversy, and public opinion would probably have brought about a prompt adjustment.

Each successive step creating machinery for the adjustment of labor difficulties must be taken with caution, but we should endeavor to make progress in this direction.

The provisions of the act of 1898 creating the chairman of the Interstate Commerce Commission and the Commissioner of Labor a board of mediation in controversies between interstate railroads and their employees has, for the first time, been subjected to serious tests within the past year, and the wisdom of the experiment has been fully demonstrated. The creation of a board for compulsory investigation in cases where mediation fails and arbitration is rejected is the next logical step in a progressive program.

It is certain that for some time to come there will be a constant increase absolutely, and perhaps relatively, of those among our citizens who dwell in cities or towns of some size and who work for wages. This means that there will be an ever-increasing need to consider the problems inseparable from a great industrial civilization. Where an immense and complex business, especially in those branches relating to manufacture and transportation, is transacted by a large number of capitalists who employ a very much larger number of wage-earners,

the former tend more and more to combine into corporations and the latter into unions. The relations of the capitalist and wage-worker to one another, and of each to the general public, are not always easy to adjust; and to put them and keep them on a satisfactory basis is one of the most important and one of the most delicate tasks before our whole civilization. Much of the work for the accomplishment of this end must be done by the individuals concerned themselves, whether singly or in combination; and the one fundamental fact that must never be lost track of is that the character of the average man, whether he be a man of means or a man who works with his hands, is the most important factor in solving the problem aright. But it is almost equally important to remember that without good laws it is also impossible to reach the proper solution. It is idle to hold that without good laws evils such as child labor, as the over-working of women, as the failure to protect employees from loss of life or limb, can be effectively reached, any more than the evils of rebates and stock-watering can be reached without good laws. To fail to stop these practices by legislation means to force honest men into them, because otherwise the dishonest who surely will take advantage of them will have everything their own way. If the States will correct these evils, well and good; but the Nation must stand ready to aid them.

No question growing out of our rapid and complex industrial development is more important than that of the employment of women and children. The presence of women in industry reacts with extreme directness upon the character of the home and upon family life, and the conditions surrounding the employment of children bear a vital relation to our future citizenship. Our legislation in those areas under the control of the Congress is very much behind the legislation of our more progressive States. A thorough and comprehensive measure should be adopted at this session of the Congress relating to the employment of women and children in the District of Columbia and the Territories. The investigation into the condition of women and children wage-earners recently authorized and directed by the Congress is now being carried on in the various States, and I recommend that the appropriation made last year for beginning this work be renewed, in order that we may have the thorough and comprehensive investigation which the subject demands. The National Government has as an ultimate resort for control of child labor the use of the interstate commerce clause to prevent the products of child labor from entering into interstate commerce. But before using this it ought certainly to enact model laws on the subject for the Territories under its own immediate control.

There is one fundamental proposition which can be laid down as regards all these matters, namely: While honesty by itself will not

solve the problem, yet the insistence upon honesty—not merely technical honesty, but honesty in purpose and spirit—is an essential element in arriving at a right conclusion. Vice in its cruder and more archaic forms shocks everybody; but there is very urgent need that public opinion should be just as severe in condemnation of the vice which hides itself behind class or professional loyalty, or which denies that it is vice if it can escape conviction in the courts. The public and the representatives of the public, the high officials, whether on the bench or in executive or legislative positions, need to remember that often the most dangerous criminals, so far as the life of the Nation is concerned, are not those who commit the crimes known to and condemned by the popular conscience for centuries, but those who commit crimes only rendered possible by the complex conditions of our modern industrial life. It makes not a particle of difference whether these crimes are committed by a capitalist or by a laborer, by a leading banker or manufacturer or railroad man, or by a leading representative of a labor union. Swindling in stocks, corrupting legislatures, making fortunes by the inflation of securities, by wrecking railroads, by destroying competitors through rebates—these forms of wrongdoing in the capitalist, are far more infamous than any ordinary form of embezzlement or forgery; yet it is a matter of extreme difficulty to secure the punishment of the man most guilty of them, most responsible for them. The business man who condones such conduct stands on a level with the labor man who deliberately supports a corrupt demagogue and agitator, whether head of a union or head of some municipality, because he is said to have “stood by the union.” The members of the business community, the educators, or clergymen, who condone and encourage the first kind of wrongdoing, are no more dangerous to the community, but are morally even worse, than the labor men who are guilty of the second type of wrongdoing, because less is to be pardoned those who have no such excuse as is furnished either by ignorance or by dire need.

When the Department of Agriculture was founded there was much sneering as to its usefulness. No Department of the Government, however, has more emphatically vindicated its usefulness, and none save the Post-Office Department comes so continually and intimately into touch with the people. The two citizens whose welfare is in the aggregate most vital to the welfare of the Nation, and therefore to the welfare of all other citizens, are the wage-worker who does manual labor and the tiller of the soil, the farmer. There are, of course, kinds of labor where the work must be purely mental, and there are other kinds of labor where, under existing conditions, very little demand indeed is made upon the mind, though I am glad to say that the proportion of men engaged in this kind of work is diminishing. But in

any community with the solid, healthy qualities which make up a really great nation the bulk of the people should do work which calls for the exercise of both body and mind. Progress can not permanently exist in the abandonment of physical labor, but in the development of physical labor, so that it shall represent more and more the work of the trained mind in the trained body. Our school system is gravely defective in so far as it puts a premium upon mere literary training and tends therefore to train the boy away from the farm and the workshop. Nothing is more needed than the best type of industrial school, the school for mechanical industries in the city, the school for practically teaching agriculture in the country. The calling of the skilled tiller of the soil, the calling of the skilled mechanic, should alike be recognized as professions, just as emphatically as the callings of lawyer, doctor, merchant, or clerk. The schools recognize this fact and it should equally be recognized in popular opinion. The young man who has the farsightedness and courage to recognize it and to get over the idea that it makes a difference whether what he earns is called salary or wages, and who refuses to enter the crowded field of the so-called professions, and takes to constructive industry instead, is reasonably sure of an ample reward in earnings, in health, in opportunity to marry early, and to establish a home with a fair amount of freedom from worry. It should be one of our prime objects to put both the farmer and the mechanic on a higher plane of efficiency and reward, so as to increase their effectiveness in the economic world, and therefore the dignity, the remuneration, and the power of their positions in the social world.

No growth of cities, no growth of wealth, can make up for any loss in either the number or the character of the farming population. We of the United States should realize this above almost all other peoples. We began our existence as a nation of farmers, and in every great crisis of the past a peculiar dependence has had to be placed upon the farming population; and this dependence has hitherto been justified. But it can not be justified in the future if agriculture is permitted to sink in the scale as compared with other employments. We can not afford to lose that preeminently typical American, the farmer who owns his own medium-sized farm. To have his place taken by either a class of small peasant proprietors, or by a class of great landlords with tenant-farmed estates would be a veritable calamity. The growth of our cities is a good thing but only in so far as it does not mean a growth at the expense of the country farmer. We must welcome the rise of physical sciences in their application to agricultural practices, and we must do all we can to render country conditions more easy and pleasant. There are forces which now tend to bring about both these results, but they are, as yet, in their infancy. The National Govern-

ment through the Department of Agriculture should do all it can by joining with the State governments and with independent associations of farmers to encourage the growth in the open farming country of such institutional and social movements as will meet the demand of the best type of farmers, both for the improvement of their farms and for the betterment of the life itself. The Department of Agriculture has in many places, perhaps especially in certain districts of the South, accomplished an extraordinary amount by cooperating with and teaching the farmers through their associations, on their own soil, how to increase their income by managing their farms better than they were hitherto managed. The farmer must not lose his independence, his initiative, his rugged self-reliance, yet he must learn to work in the heartiest cooperation with his fellows, exactly as the business man has learned to work; and he must prepare to use to constantly better advantage the knowledge that can be obtained from agricultural colleges, while he must insist upon a practical curriculum in the schools in which his children are taught. The Department of Agriculture and the Department of Commerce and Labor both deal with the fundamental needs of our people in the production of raw material and its manufacture and distribution, and, therefore, with the welfare of those who produce it in the raw state, and of those who manufacture and distribute it. The Department of Commerce and Labor has but recently been founded but has already justified its existence; while the Department of Agriculture yields to no other in the Government in the practical benefits which it produces in proportion to the public money expended. It must continue in the future to deal with growing crops as it has dealt in the past, but it must still further extend its field of usefulness hereafter by dealing with live men, through a far-reaching study and treatment of the problems of farm life alike from the industrial and economic and social standpoint. Farmers must cooperate with one another and with the Government, and the Government can best give its aid through associations of farmers, so as to deliver to the farmer the large body of agricultural knowledge which has been accumulated by the National and State governments and by the agricultural colleges and schools.

The grain producing industry of the country, one of the most important in the United States, deserves special consideration at the hands of the Congress. Our grain is sold almost exclusively by grades. To secure satisfactory results in our home markets and to facilitate our trade abroad, these grades should approximate the highest degree of uniformity and certainty. The present diverse methods of inspection and grading throughout the country under different laws and boards, result in confusion and lack of uniformity, destroying that confidence which is necessary for healthful trade. Complaints against

the present methods have continued for years and they are growing in volume and intensity, not only in this country but abroad. I therefore suggest to the Congress the advisability of a National system of inspection and grading of grain entering into interstate and foreign commerce as a remedy for the present evils.

The conservation of our natural resources and their proper use constitute the fundamental problem which underlies almost every other problem of our National life. We must maintain for our civilization the adequate material basis without which that civilization can not exist. We must show foresight, we must look ahead. As a nation we not only enjoy a wonderful measure of present prosperity but if this prosperity is used aright it is an earnest of future success such as no other nation will have. The reward of foresight for this Nation is great and easily foretold. But there must be the look ahead, there must be a realization of the fact that to waste, to destroy, our natural resources, to skin and exhaust the land instead of using it so as to increase its usefulness, will result in undermining in the days of our children the very prosperity which we ought by right to hand down to them amplified and developed. For the last few years, through several agencies, the Government has been endeavoring to get our people to look ahead and to substitute a planned and orderly development of our resources in place of a haphazard striving for immediate profit. Our great river systems should be developed as National water highways, the Mississippi, with its tributaries, standing first in importance, and the Columbia second, although there are many others of importance on the Pacific, the Atlantic and the Gulf slopes. The National Government should undertake this work, and I hope a beginning will be made in the present Congress; and the greatest of all our rivers, the Mississippi, should receive especial attention. From the Great Lakes to the mouth of the Mississippi there should be a deep waterway, with deep waterways leading from it to the East and the West. Such a waterway would practically mean the extension of our coast line into the very heart of our country. It would be of incalculable benefit to our people. If begun at once it can be carried through in time appreciably to relieve the congestion of our great freight-carrying lines of railroads. The work should be systematically and continuously carried forward in accordance with some well-conceived plan. The main streams should be improved to the highest point of efficiency before the improvement of the branches is attempted; and the work should be kept free from every taint of recklessness or jobbery. The inland waterways which lie just back of the whole eastern and southern coasts should likewise be developed. Moreover, the development of our waterways involves many other important water problems, all of which should be considered as part of the same general scheme. The

Government dams should be used to produce hundreds of thousands of horsepower as an incident to improving navigation; for the annual value of the unused water-power of the United States perhaps exceeds the annual value of the products of all our mines. As an incident to creating the deep waterways down the Mississippi, the Government should build along its whole lower length levees which taken together with the control of the headwaters, will at once and forever put a complete stop to all threat of floods in the immensely fertile Delta region. The territory lying adjacent to the Mississippi along its lower course will thereby become one of the most prosperous and populous, as it already is one of the most fertile, farming regions in all the world. I have appointed an Inland Waterways Commission to study and outline a comprehensive scheme of development along all the lines indicated. Later I shall lay its report before the Congress.

Irrigation should be far more extensively developed than at present, not only in the States of the Great Plains and the Rocky Mountains, but in many others, as, for instance, in large portions of the South Atlantic and Gulf States, where it should go hand in hand with the reclamation of swamp land. The Federal Government should seriously devote itself to this task, realizing that utilization of waterways and water-power, forestry, irrigation, and the reclamation of lands threatened with overflow, are all interdependent parts of the same problem. The work of the Reclamation Service in developing the larger opportunities of the western half of our country for irrigation is more important than almost any other movement. The constant purpose of the Government in connection with the Reclamation Service has been to use the water resources of the public lands for the ultimate greatest good of the greatest number; in other words, to put upon the land permanent home-makers, to use and develop it for themselves and for their children and children's children. There has been, of course, opposition to this work; opposition from some interested men who desire to exhaust the land for their own immediate profit without regard to the welfare of the next generation, and opposition from honest and well-meaning men who did not fully understand the subject or who did not look far enough ahead. This opposition is, I think, dying away, and our people are understanding that it would be utterly wrong to allow a few individuals to exhaust for their own temporary personal profit the resources which ought to be developed through use so as to be conserved for the permanent common advantage of the people as a whole.

The effort of the Government to deal with the public land has been based upon the same principle as that of the Reclamation Service. The land law system which was designed to meet the needs of the fertile and well-watered regions of the Middle West has largely broken down

when applied to the dryer regions of the Great Plains, the mountains, and much of the Pacific slope, where a farm of 160 acres is inadequate for self-support. In these regions the system lent itself to fraud, and much land passed out of the hands of the Government without passing into the hands of the home-maker. The Department of the Interior and the Department of Justice joined in prosecuting the offenders against the law; and they have accomplished much, while where the administration of the law has been defective it has been changed. But the laws themselves are defective. Three years ago a public lands commission was appointed to scrutinize the law, and defects, and recommend a remedy. Their examination specifically showed the existence of great fraud upon the public domain, and their recommendations for changes in the law were made with the design of conserving the natural resources of every part of the public lands by putting it to its best use. Especial attention was called to the prevention of settlement by the passage of great areas of public land into the hands of a few men, and to the enormous waste caused by unrestricted grazing upon the open range. The recommendations of the Public Lands Commission are sound, for they are especially in the interest of the actual home-maker; and where the small home-maker can not at present utilize the land they provide that the Government shall keep control of it so that it may not be monopolized by a few men. The Congress has not yet acted upon these recommendations; but they are so just and proper, so essential to our National welfare, that I feel confident, if the Congress will take time to consider them, that they will ultimately be adopted.

Some such legislation as that proposed is essential in order to preserve the great stretches of public grazing land which are unfit for cultivation under present methods and are valuable only for the forage which they supply. These stretches amount in all to some 300,000,000 acres, and are open to the free grazing of cattle, sheep, horses and goats, without restriction. Such a system, or lack of system, means that the range is not so much used as wasted by abuse. As the West settles the range becomes more and more over-grazed. Much of it can not be used to advantage unless it is fenced, for fencing is the only way by which to keep in check the owners of nomad flocks which roam hither and thither, utterly destroying the pastures and leaving a waste behind so that their presence is incompatible with the presence of home-makers. The existing fences are all illegal. Some of them represent the improper exclusion of actual settlers, actual home-makers, from territory which is usurped by great cattle companies. Some of them represent what is in itself a proper effort to use the range for those upon the land, and to prevent its use by nomadic outsiders. All these fences, those that are hurtful and those that are beneficial, are

alike illegal and must come down. But it is an outrage that the law should necessitate such action on the part of the Administration. The unlawful fencing of public lands for private grazing must be stopped, but the necessity which occasioned it must be provided for. The Federal Government should have control of the range, whether by permit or lease, as local necessities may determine. Such control could secure the great benefit of legitimate fencing, while at the same time securing and promoting the settlement of the country. In some places it may be that the tracts of range adjacent to the homesteads of actual settlers should be allotted to them severally or in common for the summer grazing of their stock. Elsewhere it may be that a lease system would serve the purpose; the leases to be temporary and subject to the rights of settlement, and the amount charged being large enough merely to permit of the efficient and beneficial control of the range by the Government, and of the payment to the county of the equivalent of what it would otherwise receive in taxes. The destruction of the public range will continue until some such laws as these are enacted. Fully to prevent the fraud in the public lands which, through the joint action of the Interior Department and the Department of Justice, we have been endeavoring to prevent, there must be further legislation, and especially a sufficient appropriation to permit the Department of the Interior to examine certain classes of entries on the ground before they pass into private ownership. The Government should part with its title only to the actual home-maker, not to the profit-maker who does not care to make a home. Our prime object is to secure the rights and guard the interests of the small ranchman, the man who plows and pitches hay for himself. It is this small ranchman, this actual settler and home-maker, who in the long run is most hurt by permitting thefts of the public land in whatever form.

Optimism is a good characteristic, but if carried to an excess it becomes foolishness. We are prone to speak of the resources of this country as inexhaustible; this is not so. The mineral wealth of the country, the coal, iron, oil, gas, and the like, does not reproduce itself, and therefore is certain to be exhausted ultimately; and wastefulness in dealing with it to-day means that our descendants will feel the exhaustion a generation or two before they otherwise would. But there are certain other forms of waste which could be entirely stopped—the waste of soil by washing, for instance, which is among the most dangerous of all wastes now in progress in the United States, is easily preventable, so that this present enormous loss of fertility is entirely unnecessary. The preservation or replacement of the forests is one of the most important means of preventing this loss. We have made a beginning in forest preservation, but it is only a beginning. At present lumbering is the fourth greatest industry in the United States; and

yet, so rapid has been the rate of exhaustion of timber in the United States in the past, and so rapidly is the remainder being exhausted, that the country is unquestionably on the verge of a timber famine which will be felt in every household in the land. There has already been a rise in the price of lumber, but there is certain to be a more rapid and heavier rise in the future. The present annual consumption of lumber is certainly three times as great as the annual growth; and if the consumption and growth continue unchanged, practically all our lumber will be exhausted in another generation, while long before the limit to complete exhaustion is reached the growing scarcity will make itself felt in many blighting ways upon our National welfare. About 20 per cent of our forested territory is now reserved in National forests; but these do not include the most valuable timber lands, and in any event the proportion is too small to expect that the reserves can accomplish more than a mitigation of the trouble which is ahead for the nation. Far more drastic action is needed. Forests can be lumbered so as to give to the public the full use of their mercantile timber without the slightest detriment to the forest, any more than it is a detriment to a farm to furnish a harvest; so that there is no parallel between forests and mines, which can only be completely used by exhaustion. But forests, if used as all our forests have been used in the past and as most of them are still used, will be either wholly destroyed, or so damaged that many decades have to pass before effective use can be made of them again. All these facts are so obvious that it is extraordinary that it should be necessary to repeat them. Every business man in the land, every writer in the newspapers, every man or woman of an ordinary school education, ought to be able to see that immense quantities of timber are used in the country, that the forests which supply this timber are rapidly being exhausted, and that, if no change takes place, exhaustion will come comparatively soon, and that the effects of it will be felt severely in the every-day life of our people. Surely, when these facts are so obvious, there should be no delay in taking preventive measures. Yet we seem as a nation to be willing to proceed in this matter with happy-go-lucky indifference even to the immediate future. It is this attitude which permits the self-interest of a very few persons to weigh for more than the ultimate interest of all our people. There are persons who find it to their immense pecuniary benefit to destroy the forests by lumbering. They are to be blamed for thus sacrificing the future of the Nation as a whole to their own self-interest of the moment; but heavier blame attaches to the people at large for permitting such action, whether in the White Mountains, in the southern Alleghenies, or in the Rockies and Sierras. A big lumbering company, impatient for immediate returns and not caring to look far enough ahead, will often deliberately destroy all the good

timber in a region, hoping afterwards to move on to some new country. The shiftless man of small means, who does not care to become an actual home-maker but would like immediate profit, will find it to his advantage to take up timber land simply to turn it over to such a big company, and leave it valueless for future settlers. A big mine owner, anxious only to develop his mine at the moment, will care only to cut all the timber that he wishes without regard to the future—probably not looking ahead to the condition of the country when the forests are exhausted, any more than he does to the condition when the mine is worked out. I do not blame these men nearly as much as I blame the supine public opinion, the indifferent public opinion, which permits their action to go unchecked. Of course to check the waste of timber means that there must be on the part of the public the acceptance of a temporary restriction in the lavish use of the timber, in order to prevent the total loss of this use in the future. There are plenty of men in public and private life who actually advocate the continuance of the present system of unchecked and wasteful extravagance, using as an argument the fact that to check it will of course mean interference with the ease and comfort of certain people who now get lumber at less cost than they ought to pay, at the expense of the future generations. Some of these persons actually demand that the present forest reserves be thrown open to destruction, because, forsooth, they think that thereby the price of lumber could be put down again for two or three or more years. Their attitude is precisely like that of an agitator protesting against the outlay of money by farmers on manure and in taking care of their farms generally. Undoubtedly, if the average farmer were content absolutely to ruin his farm, he could for two or three years avoid spending any money on it, and yet make a good deal of money out of it. But only a savage would, in his private affairs, show such reckless disregard of the future; yet it is precisely this reckless disregard of the future which the opponents of the forestry system are now endeavoring to get the people of the United States to show. The only trouble with the movement for the preservation of our forests is that it has not gone nearly far enough, and was not begun soon enough. It is a most fortunate thing, however, that we began it when we did. We should acquire in the Appalachian and White Mountain regions all the forest lands that it is possible to acquire for the use of the Nation. These lands, because they form a National asset, are as emphatically national as the rivers which they feed, and which flow through so many States before they reach the ocean.

There should be no tariff on any forest product grown in this country; and, in especial, there should be no tariff on wood pulp; due notice of the change being of course given to those engaged in the business so as to enable them to adjust themselves to the new conditions.

The repeal of the duty on wood pulp should if possible be accompanied by an agreement with Canada that there shall be no export duty on Canadian pulp wood.

In the eastern United States the mineral fuels have already passed into the hands of large private owners, and those of the West are rapidly following. It is obvious that these fuels should be conserved and not wasted, and it would be well to protect the people against unjust and extortionate prices, so far as that can still be done. What has been accomplished in the great oil fields of the Indian Territory by the action of the Administration, offers a striking example of the good results of such a policy. In my judgment the Government should have the right to keep the fee of the coal, oil, and gas fields in its own possession and to lease the rights to develop them under proper regulations; or else, if the Congress will not adopt this method, the coal deposits should be sold under limitations, to conserve them as public utilities, the right to mine coal being separated from the title to the soil. The regulations should permit coal lands to be worked in sufficient quantity by the several corporations. The present limitations have been absurd, excessive, and serve no useful purpose, and often render it necessary that there should be either fraud or close abandonment of the work of getting out the coal.

Work on the Panama Canal is proceeding in a highly satisfactory manner. In March last, John F. Stevens, chairman of the Commission and chief engineer, resigned, and the Commission was reorganized and constituted as follows: Lieut. Col. George W. Goethals, Corps. of Engineers, U. S. Army, chairman and chief engineer; Maj. D. D. Gailard, Corps of Engineers, U. S. Army; Maj. William L. Sibert, Corps of Engineers, U. S. Army; Civil Engineer H. H. Rousseau, U. S. Navy; Mr. J. C. S. Blackburn; Col. W. C. Gorgas, U. S. Army, and Mr. Jackson Smith, Commissioners. This change of authority and direction went into effect on April 1, without causing a perceptible check to the progress of the work. In March the total excavation in the Culebra Cut, where effort was chiefly concentrated, was 815,270 cubic yards. In April this was increased to 879,527 cubic yards. There was a considerable decrease in the output for May and June owing partly to the advent of the rainy season and partly to temporary trouble with the steam shovel men over the question of wages. This trouble was settled satisfactorily to all parties and in July the total excavation advanced materially and in August the grand total from all points in the canal prism by steam shovels and dredges exceeded all previous United States records, reaching 1,274,404 cubic yards. In September this record was eclipsed and a total of 1,517,412 cubic yards was removed. Of this amount 1,481,307 cubic yards were from the canal prism and 36,105 cubic yards were from accessory works. These

results were achieved in the rainy season with a rainfall in August of 11.89 inches and in September of 11.65 inches. Finally, in October, the record was again eclipsed, the total excavation being 1,868,729 cubic yards; a truly extraordinary record, especially in view of the heavy rainfall, which was 17.1 inches. In fact, experience during the last two rainy seasons demonstrates that the rains are a less serious obstacle to progress than has hitherto been supposed.

Work on the locks and dams at Gatun, which began actively in March last, has advanced so far that it is thought that masonry work on the locks can be begun within fifteen months. In order to remove all doubt as to the satisfactory character of the foundations for the locks of the Canal, the Secretary of War requested three eminent civil engineers, of special experience in such construction, Alfred Noble, Frederic P. Stearns and John R. Freeman, to visit the Isthmus and make thorough personal investigations of the sites. These gentlemen went to the Isthmus in April and by means of test pits which had been dug for the purpose, they inspected the proposed foundations, and also examined the borings that had been made. In their report to the Secretary of War, under date of May 2, 1907, they said: "We found that all of the locks, of the dimensions now proposed, will rest upon rock of such character that it will furnish a safe and stable foundation." Subsequent new borings, conducted by the present Commission, have fully confirmed this verdict. They show that the locks will rest on rock for their entire length. The cross section of the dam and method of construction will be such as to insure against any slip or sloughing off. Similar examination of the foundations of the locks and dams on the Pacific side are in progress. I believe that the locks should be made of a width of 120 feet.

Last winter bids were requested and received for doing the work of canal construction by contract. None of them was found to be satisfactory and all were rejected. It is the unanimous opinion of the present Commission that the work can be done better, more cheaply, and more quickly by the Government than by private contractors. Fully 80 per cent of the entire plant needed for construction has been purchased or contracted for; machine shops have been erected and equipped for making all needed repairs to the plant; many thousands of employees have been secured; an effective organization has been perfected; a recruiting system is in operation which is capable of furnishing more labor than can be used advantageously; employees are well sheltered and well fed; salaries paid are satisfactory, and the work is not only going forward smoothly, but it is producing results far in advance of the most sanguine anticipations. Under these favorable conditions, a change in the method of prosecuting the work would be unwise and unjustifiable, for it would inevitably disorganize existing

conditions, check progress, and increase the cost and lengthen the time of completing the Canal.

The chief engineer and all his professional associates are firmly convinced that the 85 feet level lock canal which they are constructing is the best that could be desired. Some of them had doubts on this point when they went to the Isthmus. As the plans have developed under their direction their doubts have been dispelled. While they may decide upon changes in detail as construction advances they are in hearty accord in approving the general plan. They believe that it provides a canal not only adequate to all demands that will be made upon it but superior in every way to a sea level canal. I concur in this belief.

I commend to the favorable consideration of the Congress a postal savings bank system, as recommended by the Postmaster-General. The primary object is to encourage among our people economy and thrift and by the use of postal savings banks to give them an opportunity to husband their resources, particularly those who have not the facilities at hand for depositing their money in savings banks. Viewed, however, from the experience of the past few weeks, it is evident that the advantages of such an institution are still more far-reaching. Timid depositors have withdrawn their savings for the time being from national banks, trust companies, and savings banks; individuals have hoarded their cash and the workmen their earnings; all of which money has been withheld and kept in hiding or in safe deposit box to the detriment of prosperity. Through the agency of the postal savings banks such money would be restored to the channels of trade, to the mutual benefit of capital and labor.

I further commend to the Congress the consideration of the Postmaster-General's recommendation for an extension of the parcel post, especially on the rural routes. There are now 38,215 rural routes, serving nearly 15,000,000 people who do not have the advantages of the inhabitants of cities in obtaining their supplies. These recommendations have been drawn up to benefit the farmer and the country storekeeper; otherwise, I should not favor them, for I believe that it is good policy for our Government to do everything possible to aid the small town and the country district. It is desirable that the country merchant should not be crushed out.

The fourth-class postmasters' convention has passed a very strong resolution in favor of placing the fourth-class postmasters under the civil-service law. The Administration has already put into effect the policy of refusing to remove any fourth-class postmasters save for reasons connected with the good of the service; and it is endeavoring so far as possible to remove them from the domain of partisan politics. It would be a most desirable thing to put the fourth-class postmasters in the classified service. It is possible that this might be done without

Congressional action, but, as the matter is debatable, I earnestly recommend that the Congress enact a law providing that they be included under the civil-service law and put in the classified service.

Oklahoma has become a State, standing on a full equality with her elder sisters, and her future is assured by her great natural resources. The duty of the National Government to guard the personal and property rights of the Indians within her borders remains of course unchanged.

I reiterate my recommendations of last year as regards Alaska. Some form of local self-government should be provided, as simple and inexpensive as possible; it is impossible for the Congress to devote the necessary time to all the little details of necessary Alaskan legislation. Road building and railway building should be encouraged. The Governor of Alaska should be given an ample appropriation wherewith to organize a force to preserve the public peace. Whisky selling to the natives should be made a felony. The coal land laws should be changed so as to meet the peculiar needs of the Territory. This should be attended to at once; for the present laws permit individuals to locate large areas of the public domain for speculative purposes; and cause an immense amount of trouble, fraud, and litigation. There should be another judicial division established. As early as possible lighthouses and buoys should be established as aids to navigation, especially in and about Prince William Sound, and the survey of the coast completed. There is need of liberal appropriations for lighting and buoying the southern coast and improving the aids to navigation in southeastern Alaska. One of the great industries of Alaska, as of Puget Sound and the Columbia, is salmon fishing. Gradually, by reason of lack of proper laws, this industry is being ruined; it should now be taken in charge, and effectively protected, by the United States Government.

The courage and enterprise of the citizens of the far Northwest in their projected Alaskan-Yukon-Pacific Exposition, to be held in 1909, should receive liberal encouragement. This exposition is not sentimental in its conception, but seeks to exploit the natural resources of Alaska and to promote the commerce, trade, and industry of the Pacific States with their neighboring States and with our insular possessions and the neighboring countries of the Pacific. The exposition asks no loan from the Congress but seeks appropriations for National exhibits and exhibits of the western dependencies of the General Government. The State of Washington and the city of Seattle have shown the characteristic western enterprise in large donations for the conduct of this exposition in which other States are lending generous assistance.

The unfortunate failure of the shipping bill at the last session of

the last Congress was followed by the taking off of certain Pacific steamships, which has greatly hampered the movement of passengers between Hawaii and the mainland. Unless the Congress is prepared by positive encouragement to secure proper facilities in the way of shipping between Hawaii and the mainland, then the coastwise shipping laws should be so far relaxed as to prevent Hawaii suffering as it is now suffering. I again call your attention to the capital importance from every standpoint of making Pearl Harbor available for the largest deep water vessels, and of suitably fortifying the island.

The Secretary of War has gone to the Philippines. On his return I shall submit to you his report on the islands.

I again recommend that the rights of citizenship be conferred upon the people of Porto Rico.

A bureau of mines should be created under the control and direction of the Secretary of the Interior; the bureau to have power to collect statistics and make investigations in all matters pertaining to mining and particularly to the accidents and dangers of the industry. If this can not now be done, at least additional appropriations should be given the Interior Department to be used for the study of mining conditions, for the prevention of fraudulent mining schemes, for carrying on the work of mapping the mining districts, for studying methods for minimizing the accidents and dangers in the industry; in short, to aid in all proper ways the development of the mining industry.

I strongly recommend to the Congress to provide funds for keeping up the Hermitage, the home of Andrew Jackson; these funds to be used through the existing Hermitage Association for the preservation of a historic building which should ever be dear to Americans.

I further recommend that a naval monument be established in the Vicksburg National Park. This national park gives a unique opportunity for commemorating the deeds of those gallant men who fought on water, no less than of those who fought on land, in the great civil war.

Legislation should be enacted at the present session of the Congress for the Thirteenth Census. The establishment of the permanent Census Bureau affords the opportunity for a better census than we have ever had, but in order to realize the full advantage of the permanent organization, ample time must be given for preparation.

There is a constantly growing interest in this country in the question of the public health. At last the public mind is awake to the fact that many diseases, notably tuberculosis, are National scourges. The work of the State and city boards of health should be supplemented by a constantly increasing interest on the part of the National Government. The Congress has already provided a bureau of public health and has provided for a hygienic laboratory. There are other valuable laws

relating to the public health connected with the various departments. This whole branch of the Government should be strengthened and aided in every way.

I call attention to two Government commissions which I have appointed and which have already done excellent work. The first of these has to do with the organization of the scientific work of the Government, which has grown up wholly without plan and is in consequence so unwisely distributed among the Executive Departments that much of its effect is lost for the lack of proper coordination. This commission's chief object is to introduce a planned and orderly development and operation in the place of the ill-assorted and often ineffective grouping and methods of work which have prevailed. This can not be done without legislation, nor would it be feasible to deal in detail with so complex an administrative problem by specific provisions of law. I recommend that the President be given authority to concentrate related lines of work and reduce duplication by Executive order through transfer and consolidation of lines of work.

The second committee, that on Department methods, was instructed to investigate and report upon the changes needed to place the conduct of the executive force of the Government on the most economical and effective basis in the light of the best modern business practice. The committee has made very satisfactory progress. Antiquated practices and bureaucratic ways have been abolished, and a general renovation of departmental methods has been inaugurated. All that can be done by Executive order has already been accomplished or will be put into effect in the near future. The work of the main committee and its several assistant committees has produced a wholesome awakening on the part of the great body of officers and employees engaged in Government work. In nearly every Department and office there has been a careful self-inspection for the purpose of remedying any defects before they could be made the subject of adverse criticism. This has led individuals to a wider study of the work on which they were engaged, and this study has resulted in increasing their efficiency in their respective lines of work. There are recommendations of special importance from the committee on the subject of personnel and the classification of salaries which will require legislative action before they can be put into effect. It is my intention to submit to the Congress in the near future a special message on those subjects.

Under our form of government voting is not merely a right but a duty, and, moreover, a fundamental and necessary duty if a man is to be a good citizen. It is well to provide that corporations shall not contribute to Presidential or National campaigns, and furthermore to provide for the publication of both contributions and expenditures. There is, however, always danger in laws of this kind, which from

their very nature are difficult of enforcement; the danger being lest they be obeyed only by the honest, and disobeyed by the unscrupulous, so as to act only as a penalty upon honest men. Moreover, no such law would hamper an unscrupulous man of unlimited means from buying his own way into office. There is a very radical measure which would, I believe, work a substantial improvement in our system of conducting a campaign, although I am well aware that it will take some time for people so to familiarize themselves with such a proposal as to be willing to consider its adoption. The need for collecting large campaign funds would vanish if Congress provided an appropriation for the proper and legitimate expenses of each of the great national parties, an appropriation ample enough to meet the necessity for thorough organization and machinery, which requires a large expenditure of money. Then the stipulation should be made that no party receiving campaign funds from the Treasury should accept more than a fixed amount from any individual subscriber or donor; and the necessary publicity for receipts and expenditures could without difficulty be provided.

There should be a National gallery of art established in the capital city of this country. This is important not merely to the artistic but to the material welfare of the country; and the people are to be congratulated on the fact that the movement to establish such a gallery is taking definite form under the guidance of the Smithsonian Institution. So far from there being a tariff on works of art brought into the country, their importation should be encouraged in every way. There have been no sufficient collections of objects of art by the Government, and what collections have been acquired are scattered and are generally placed in unsuitable and imperfectly lighted galleries.

The Biological Survey is quietly working for the good of our agricultural interests, and is an excellent example of a Government bureau which conducts original scientific research the findings of which are of much practical utility. For more than twenty years it has studied the food habits of birds and mammals that are injurious or beneficial to agriculture, horticulture, and forestry; has distributed illustrated bulletins on the subject, and has labored to secure legislative protection for the beneficial species. The cotton boll-weevil, which has recently overspread the cotton belt of Texas and is steadily extending its range, is said to cause an annual loss of about \$3,000,000. The Biological Survey has ascertained and gives wide publicity to the fact that at least 43 kinds of birds prey upon this destructive insect. It has discovered that 57 species of birds feed upon scale-insects—dreaded enemies of the fruit grower. It has shown that woodpeckers as a class, by destroying the larvæ of wood-boring insects, are so essential to tree life that it is doubtful if our forests could exist with-

out them. It has shown that cuckoos and orioles are the natural enemies of the leaf-eating caterpillars that destroy our shade and fruit trees; that our quails and sparrows consume annually hundreds of tons of seeds of noxious weeds; that hawks and owls as a class (excepting the few that kill poultry and game birds) are markedly beneficial, spending their lives in catching grasshoppers, mice, and other pests that prey upon the products of husbandry. It has conducted field experiments for the purpose of devising and perfecting simple methods for holding in check the hordes of destructive rodents—rats, mice, rabbits, gophers, prairie dogs, and ground squirrels—which annually destroy crops worth many millions of dollars; and it has published practical directions for the destruction of wolves and coyotes on the stock ranges of the West, resulting during the past year in an estimated saving of cattle and sheep valued at upwards of a million dollars.

It has inaugurated a system of inspection at the principal ports of entry on both Atlantic and Pacific coasts by means of which the introduction of noxious mammals and birds is prevented, thus keeping out the mongoose and certain birds which are as much to be dreaded as the previously introduced English sparrow and the house rats and mice.

In the interest of game protection it has cooperated with local officials in every State in the Union, has striven to promote uniform legislation in the several States, has rendered important service in enforcing the Federal law regulating interstate traffic in game, and has shown how game protection may be made to yield a large revenue to the State—a revenue amounting in the case of Illinois to \$128,000 in a single year.

The Biological Survey has explored the faunas and floras of America with reference to the distribution of animals and plants; it has defined and mapped the natural life areas—areas in which, by reason of prevailing climatic conditions, certain kinds of animals and plants occur—and has pointed out the adaptability of these areas to the cultivation of particular crops. The results of these investigations are not only of high educational value but are worth each year to the progressive farmers of the country many times the cost of maintaining the Survey, which, it may be added, is exceedingly small. I recommend to Congress that this bureau, whose usefulness is seriously handicapped by lack of funds, be granted an appropriation in some degree commensurate with the importance of the work it is doing.

I call your especial attention to the unsatisfactory condition of our foreign mail service, which, because of the lack of American steamship lines is now largely done through foreign lines, and which, particularly so far as South and Central America are concerned, is done in a manner which constitutes a serious barrier to the extension of our commerce.

The time has come, in my judgment, to set to work seriously to make our ocean mail service correspond more closely with our recent commercial and political development. A beginning was made by the ocean mail act of March 3, 1891, but even at that time the act was known to be inadequate in various particulars. Since that time events have moved rapidly in our history. We have acquired Hawaii, the Philippines, and lesser islands in the Pacific. We are steadily prosecuting the great work of uniting at the Isthmus the waters of the Atlantic and the Pacific. To a greater extent than seemed probable even a dozen years ago, we may look to an American future on the sea worthy of the traditions of our past. As the first step in that direction, and the setp most feasible at the present time, I recommend the extension of the ocean mail act of 1891. This act has stood for some years free from successful criticism of its principle and purpose. It was based on theories of the obligations of a great maritime nation, undisputed in our own land and followed by other nations since the beginning of steam navigation. Briefly those theories are, that it is the duty of a first-class Power so far as practicable to carry its ocean mails under its own flag; that the fast ocean steamships and their crews, required for such mail service, are valuable auxiliaries to the sea power of a nation. Furthermore, the construction of such steamships insures the maintenance in an efficient condition of the shipyards in which our battleships must be built.

The expenditure of public money for the performance of such necessary functions of government is certainly warranted, nor is it necessary to dwell upon the incidental benefits to our foreign commerce, to the shipbuilding industry, and to ship owning and navigation which will accompany the discharge of these urgent public duties, though they, too, should have weight.

The only serious question is whether at this time we can afford to improve our ocean mail service as it should be improved. All doubt on this subject is removed by the reports of the Post-Office Department. For the fiscal year ended June 30, 1907, that Department estimates that the postage collected on the articles exchanged with foreign countries other than Canada and Mexico amounted to \$6,579,043.48, or \$3,637,226.81 more than the net cost of the service exclusive of the cost of transporting the articles between the United States exchange postoffices and the United States postoffices at which they were mailed or delivered. In other words, the Government of the United States, having assumed a monopoly of carrying the mails for the people, is making a profit of over \$3,600,000 by rendering a cheap and inefficient service. That profit I believe should be devoted to strengthening our maritime power in those directions where it will best promote our prestige. The country is familiar with the facts of our maritime im-

potence in the harbors of the great and friendly Republics of South America. Following the failure of the shipbuilding bill we lost our only American line of steamers to Australasia, and that loss on the Pacific has become a serious embarrassment to the people of Hawaii, and has wholly cut off the Samoan islands from regular communication with the Pacific coast. Puget Sound, in the year, has lost over half (four out of seven) of its American steamers trading with the Orient.

We now pay under the act of 1891 \$4 a statute mile outward to 20-knot American mail steamships, built according to naval plans, available as cruisers, and manned by Americans. Steamships of that speed are confined exclusively to trans-Atlantic trade with New York. To steamships of 16 knots or over only \$2 a mile can be paid, and it is steamships of this speed and type which are needed to meet the requirements of mail service to South America, Asia (including the Philippines), and Australia. I strongly recommend, therefore, a simple amendment to the ocean mail act of 1891 which shall authorize the Postmaster-General in his discretion to enter into contracts for the transportation of mails to the Republics of South America, to Asia, the Philippines, and Australia at a rate not to exceed \$4 a mile for steamships of 16 knots speed or upwards, subject to the restrictions and obligations of the act of 1891. The profit of \$3,600,000 which has been mentioned will fully cover the maximum annual expenditure involved in this recommendation, and it is believed will in time establish the lines so urgently needed. The proposition involves no new principle, but permits the efficient discharge of public functions now inadequately performed or not performed at all.

Not only there is not now, but there never has been, any other nation in the world so wholly free from the evils of militarism as is ours. There never has been any other large nation, not even China, which for so long a period has had relatively to its numbers so small a regular army as has ours. Never at any time in our history has this Nation suffered from militarism or been in the remotest danger of suffering from militarism. Never at any time of our history has the Regular Army been of a size which caused the slightest appreciable tax upon the tax-paying citizens of the Nation. Almost always it has been too small in size and underpaid. Never in our entire history has the Nation suffered in the least particular because too much care has been given to the Army, too much prominence given it, too much money spent upon it, or because it has been too large. But again and again we have suffered because enough care has not been given to it, because it has been too small, because there has not been sufficient preparation in advance for possible war. Every foreign war in which we have engaged has cost us many times the amount which, if wisely expended

during the preceding years of peace on the Regular Army, would have insured the war ending in but a fraction of the time and but for a fraction of the cost that was actually the case. As a Nation we have always been shortsighted in providing for the efficiency of the Army in time of peace. It is nobody's especial interest to make such provision and no one looks ahead to war at any period, no matter how remote, as being a serious possibility; while an improper economy, or rather niggardliness, can be practiced at the expense of the Army with the certainty that those practicing it will not be called to account therefor, but that the price will be paid by the unfortunate persons who happen to be in office when a war does actually come.

I think it is only lack of foresight that troubles us, not any hostility to the Army. There are, of course, foolish people who denounce any care of the Army or Navy as "militarism," but I do not think that these people are numerous. This country has to contend now, and has had to contend in the past, with many evils, and there is ample scope for all who would work for reform. But there is not one evil that now exists, or that ever has existed in this country, which is, or ever has been, owing in the smallest part to militarism. Declamation against militarism has no more serious place in an earnest and intelligent movement for righteousness in this country than declamation against the worship of Baal or Astaroth. It is declamation against a non-existent evil, one which never has existed in this country, and which has not the slightest chance of appearing here. We are glad to help in any movement for international peace, but this is because we sincerely believe that it is our duty to help all such movements provided they are sane and rational, and not because there is any tendency toward militarism on our part which needs to be cured. The evils we have to fight are those in connection with industrialism, not militarism. Industry is always necessary, just as war is sometimes necessary. Each has its price, and industry in the United States now exacts, and has always exacted, a far heavier toll of death than all our wars put together. The statistics of the railroads of this country for the year ended June 30, 1906, the last contained in the annual statistical report of the Interstate Commerce Commission, show in that one year a total of 108,324 casualties to persons, of which 10,618 represent the number of persons killed. In that wonderful hive of human activity, Pittsburg, the deaths due to industrial accidents in 1906 were 919, all the result of accidents in mills, mines or on railroads. For the entire country, therefore, it is safe to say that the deaths due to industrial accidents aggregate in the neighborhood of twenty thousand a year. Such a record makes the death rate in all our foreign wars utterly trivial by comparison. The number of deaths in battle in all the foreign wars put together, for the last century and a quarter, aggregate

considerably less than one year's death record for our industries. A mere glance at these figures is sufficient to show the absurdity of the outcry against militarism.

But again and again in the past our little Regular Army has rendered service literally vital to the country, and it may at any time have to do so in the future. Its standard of efficiency and instruction is higher now than ever in the past. But it is too small. There are not enough officers; and it is impossible to secure enough enlisted men. We should maintain in peace a fairly complete skeleton of a large army. A great and long-continued war would have to be fought by volunteers. But months would pass before any large body of efficient volunteers could be put in the field, and our Regular Army should be large enough to meet any immediate need. In particular it is essential that we should possess a number of extra officers trained in peace to perform efficiently the duties urgently required upon the breaking out of war.

The Medical Corps should be much larger than the needs of our Regular Army in war. Yet at present it is smaller than the needs of the service demand even in peace. The Spanish war occurred less than ten years ago. The chief loss we suffered in it was by disease among the regiments which never left the country. At the moment the Nation seemed deeply impressed by this fact; yet seemingly it has already been forgotten, for not the slightest effort has been made to prepare a medical corps of sufficient size to prevent the repetition of the same disaster on a much larger scale if we should ever be engaged in a serious conflict. The trouble in the Spanish war was not with the then existing officials of the War Department; it was with the representatives of the people as a whole who, for the preceding thirty years, had declined to make the necessary provision for the Army. Unless ample provision is now made by Congress to put the Medical Corps where it should be put disaster in the next war is inevitable, and the responsibility will not lie with those then in charge of the War Department, but with those who now decline to make the necessary provision. A well organized medical corps, thoroughly trained before the advent of war in all the important administrative duties of a military sanitary corps, is essential to the efficiency of any large army, and especially of a large volunteer army. Such knowledge of medicine and surgery as is possessed by the medical profession generally will not alone suffice to make an efficient military surgeon. He must have, in addition, knowledge of the administration and sanitation of large field hospitals and camps, in order to safeguard the health and lives of men intrusted in great numbers to his care. A bill has long been pending before the Congress for the reorganization of the Medical Corps; its passage is urgently needed.

But the Medical Department is not the only department for which increased provision should be made. The rate of pay for the officers should be greatly increased; there is no higher type of citizen than the American regular officer, and he should have a fair reward for his admirable work. There should be a relatively even greater increase in the pay for the enlisted men. In especial provision should be made for establishing grades equivalent to those of warrant officers in the Navy which should be open to the enlisted men who serve sufficiently long and who do their work well. Inducements should be offered sufficient to encourage really good men to make the Army a life occupation. The prime needs of our present Army is to secure and retain competent noncommissioned officers. This difficulty rests fundamentally on the question of pay. The noncommissioned officer does not correspond with an unskilled laborer; he corresponds to the best type of skilled workman or to the subordinate official in civil institutions. Wages have greatly increased in outside occupations in the last forty years and the pay of the soldier, like the pay of the officers, should be proportionately increased. The first sergeant of a company, if a good man, must be one of such executive and administrative ability, and such knowledge of his trade, as to be worth far more than we at present pay him. The same is true of the regimental sergeant major. These men should be men who had fully resolved to make the Army a life occupation and they should be able to look forward to ample reward; while only men properly qualified should be given a chance to secure these final rewards. The increase over the present pay need not be great in the lower grades for the first one or two enlistments, but the increase should be marked for the noncommissioned officers of the upper grades who serve long enough to make it evident that they intend to stay permanently in the Army, while additional pay should be given for high qualifications in target practice. The position of warrant officer should be established and there should be not only an increase of pay, but an increase of privileges and allowances and dignity, so as to make the grade open to noncommissioned officers capable of filling them desirably from every standpoint. The rate of desertion in our Army now in time of peace is alarming. The deserter should be treated by public opinion as a man guilty of the greatest crime; while on the other hand the man who serves steadily in the Army should be treated as what he is, that is, as preeminently one of the best citizens of this Republic. After twelve years' service in the Army my own belief is that the man should be given a preference according to his ability for certain types of office over all civilian applicants without examination. This should also apply, of course, to the men who have served twelve years in the Navy. A special corps should be pro-

vided to do the manual labor now necessarily demanded of the privates themselves.

Among the officers there should be severe examinations to weed out the unfit up to the grade of major. From that position on appointments should be solely by selection and it should be understood that a man of merely average capacity could never get beyond the position of major, while every man who serves in any grade a certain length of time prior to promotion to the next grade without getting the promotion to the next grade should be forthwith retired. The practice marches and field maneuvers of the last two or three years have been invaluable to the Army. They should be continued and extended. A rigid and not a perfunctory examination of physical capacity has been provided for the higher grade officers. This will work well. Unless an officer has a good physique, unless he can stand hardship, ride well, and walk fairly, he is not fit for any position, even after he has become a colonel. Before he has become a colonel the need for physical fitness in the officers is almost as great as in the enlisted man. I hope speedily to see introduced into the Army a far more rigid and thoroughgoing test of horsemanship for all field officers than at present. There should be a Chief of Cavalry just as there is a Chief of Artillery.

Perhaps the most important of all legislation needed for the benefit of the Army is a law to equalize and increase the pay of officers and enlisted men of the Army, Navy, Marine Corps, and Revenue-Cutter Service. Such a bill has been prepared, which it is hoped will meet with your favorable consideration. The next most essential measure is to authorize a number of extra officers as mentioned above. To make the Army more attractive to enlisted men, it is absolutely essential to create a service corps, such as exists in nearly every modern army in the world, to do the skilled and unskilled labor, inseparably connected with military administration, which is now exacted, without just compensation, of enlisted men who voluntarily entered the Army to do service of an altogether different kind. There are a number of other laws necessary to so organize the Army as to promote its efficiency and facilitate its rapid expansion in time of war; but the above are the most important.

It was hoped The Hague Conference might deal with the question of the limitation of armaments. But even before it had assembled informal inquiries had developed that as regards naval armaments, the only ones in which this country had any interest, it was hopeless to try to devise any plan for which there was the slightest possibility of securing the assent of the nations gathered at The Hague. No plan was even proposed which would have had the assent of more than one first class Power outside of the United States. The only plan that seemed at all feasible, that of limiting the size of battleships, met with

no favor at all. It is evident, therefore, that it is folly for this Nation to base any hope of securing peace on any international agreement as to the limitations of armaments. Such being the fact it would be most unwise for us to stop the upbuilding of our Navy. To build one battleship of the best and most advanced type a year would barely keep our fleet up to its present force. This is not enough. In my judgment, we should this year provide for four battleships. But it is idle to build battleships unless in addition to providing the men, and the means for thorough training, we provide the auxiliaries for them, unless we provide docks, the coaling stations, the colliers and supply ships that they need. We are extremely deficient in coaling stations and docks on the Pacific, and this deficiency should not longer be permitted to exist. Plenty of torpedo boats and destroyers should be built. Both on the Atlantic and Pacific coasts, fortifications of the best type should be provided for all our greatest harbors.

We need always to remember that in time of war the Navy is not to be used to defend harbors and sea-coast cities; we should perfect our system of coast fortifications. The only efficient use for the Navy is for offense. The only way in which it can efficiently protect our own coast against the possible action of a foreign navy is by destroying that foreign navy. For defense against a hostile fleet which actually attacks them, the coast cities must depend upon their forts, mines, torpedoes, submarines, and torpedo boats and destroyers. All of these together are efficient for defensive purposes, but they in no way supply the place of a thoroughly efficient navy capable of acting on the offensive; for parrying never yet won a fight. It can only be won by hard hitting, and an aggressive sea-going navy alone can do this hard hitting of the offensive type. But the forts and the like are necessary so that the Navy may be footloose. In time of war there is sure to be demand, under pressure, of fright, for the ships to be scattered so as to defend all kind of ports. Under penalty of terrible disaster, this demand must be refused. The ships must be kept together, and their objective made the enemies' fleet. If fortifications are sufficiently strong, no modern navy will venture to attack them, so long as the foe has in existence a hostile navy of anything like the same size or efficiency. But unless there exists such a navy then the fortifications are powerless by themselves to secure the victory. For of course the mere deficiency means that any resolute enemy can at his leisure combine all his forces upon one point with the certainty that he can take it.

Until our battle fleet is much larger than at present it should never be split into detachments so far apart that they could not in event of emergency be speedily united. Our coast line is on the Pacific just as much as on the Atlantic. The interests of California, Oregon, and Washington are as emphatically the interests of the whole Union as

those of Maine and New York, of Louisiana and Texas. The battle fleet should now and then be moved to the Pacific, just as at other times it should be kept in the Atlantic. When the Isthmian Canal is built the transit of the battle fleet from one ocean to the other will be comparatively easy. Until it is built I earnestly hope that the battle fleet will be thus shifted between the two oceans every year or two. The marksmanship on all our ships has improved phenomenally during the last five years. Until within the last two or three years it was not possible to train a battle fleet in squadron maneuvers under service conditions, and it is only during these last two or three years that the training under these conditions has become really effective. Another and most necessary stride in advance is now being taken. The battle fleet is about starting by the Straits of Magellan to visit the Pacific coast.. Sixteen battleships are going under the command of Rear-Admiral Evans, while eight armored cruisers and two other battleships will meet him at San Francisco, whither certain torpedo destroyers are also going. No fleet of such size has ever made such a voyage, and it will be of very great educational use to all engaged in it.. The only way by which to teach officers and men how to handle the fleet so as to meet every possible strain and emergency in time of war is to have them practice under similar conditions in time of peace. Moreover, the only way to find out our actual needs is to perform in time of peace whatever maneuvers might be necessary in time of war. After war is declared it is too late to find out the needs; that means to invite disaster. This trip to the Pacific will show what some of our needs are and will enable us to provide for them. The proper place for an officer to learn his duty is at sea, and the only way in which a navy can ever be made efficient is by practice at sea, under all the conditions which would have to be met if war existed.

I bespeak the most liberal treatment for the officers and enlisted men of the Navy. It is true of them, as likewise of the officers and enlisted men of the Army, that they form a body whose interests should be close to the heart of every good American. In return the most rigid performance of duty should be exacted from them. The reward should be ample when they do their best; and nothing less than their best should be tolerated. It is idle to hope for the best results when the men in the senior grades come to those grades late in life and serve too short a time in them. Up to the rank of lieutenant-commander promotion in the Navy should be as now, by seniority, subject, however, to such rigid tests as would eliminate the unfit. After the grade of lieutenant-commander, that is, when we come to the grade of command rank, the unfit should be eliminated in such manner that only the conspicuously fit would remain, and sea service should be a principal test of fitness. Those who are passed by should, after a certain length of

service in their respective grades, be retired. Of a given number of men it may well be that almost all would make good lieutenants and most of them good lieutenant-commanders, while only a minority be fit to be captains, and but three or four to be admirals. Those who object to promotion otherwise than by mere seniority should reflect upon the elementary fact that no business in private life could be successfully managed if those who enter at the lowest rungs of the ladder should each in turn, if he lived, become the head of the firm, its active director, and retire after he had held the position a few months. On its face such a scheme is an absurdity. Chances for improper favoritism can be minimized by a properly formed board; such as the board of last June, which did such conscientious and excellent work in elimination.

If all that ought to be done can not now be done, at least let a beginning be made. In my last three annual Messages, and in a special Message to the last Congress, the necessity for legislation that will cause officers of the line of the Navy to reach the grades of captain and rear-admiral at less advanced ages and which will cause them to have more sea training and experience in the highly responsible duties of those grades, so that they may become thoroughly skillful in handling battleships, divisions, squadrons, and fleets in action, has been fully explained and urgently recommended. Upon this subject the Secretary of the Navy has submitted detailed and definite recommendations which have received my approval, and which, if enacted into law, will accomplish what is immediately necessary, and will, as compared with existing law, make a saving of more than five millions of dollars during the next seven years. The navy personnel act of 1899 has accomplished all that was expected of it in providing satisfactory periods of service in the several subordinate grades, from the grade of ensign to the grade of lieutenant-commander, but the law is inadequate in the upper grades and will continue to be inadequate on account of the expansion of the personnel since its enactment. Your attention is invited to the following quotations from the report of the personnel board of 1906, of which the Assistant Secretary of the Navy was president:

"Congress has authorized a considerable increase in the number of midshipmen at the Naval Academy, and these midshipmen upon graduation are promoted to ensign and lieutenant (junior-grade). But no provision has been made for a corresponding increase in the upper grades, the result being that the lower grades will become so congested that a midshipman now in one of the lowest classes at Annapolis may possibly not be promoted to lieutenant until he is between 45 and 50 years of age. So it will continue under the present law, congesting at the top and congesting at the bottom. The country fails to get from

the officers of the service the best that is in them by not providing opportunity for their normal development and training. The board believes that this works a serious detriment to the efficiency of the Navy and is a real menace to the public safety."

As stated in my special Message to the last Congress: "I am firmly of the opinion that unless the present conditions of the higher commissioned personnel is rectified by judicious legislation the future of our Navy will be gravely compromised." It is also urgently necessary to increase the efficiency of the Medical Corps of the Navy. Special legislation to this end has already been proposed; and I trust it may be enacted without delay.

It must be remembered that everything done in the Navy to fit it to do well in time of war must be done in time of peace. Modern wars are short; they do not last the length of time requisite to build a battleship; and it takes longer to train the officers and men to do well on a battleship than it takes to build it. Nothing effective can be done for the Navy once war has begun, and the result of the war, if the combatants are otherwise equally matched, will depend upon which power has prepared best in time of peace. The United States Navy is the best guaranty the Nation has that its honor and interest will not be neglected; and in addition it offers by far the best insurance for peace that can by human ingenuity be devised.

I call attention to the report of the official Board of Visitors to the Naval Academy at Annapolis which has been forwarded to the Congress. The report contains this paragraph:

"Such revision should be made of the courses of study and methods of conducting and marking examinations as will develop and bring out the average all-round ability of the midshipman rather than to give him prominence in any one particular study. The fact should be kept in mind that the Naval Academy is not a university but a school, the primary object of which is to educate boys to be efficient naval officers. Changes in curriculum, therefore, should be in the direction of making the course of instruction less theoretical and more practical. No portion of any future class should be graduated in advance of the full four years' course, and under no circumstances should the standard of instruction be lowered. The Academy in almost all of its departments is now magnificently equipped, and it would be very unwise to make the course of instruction less exacting than it is to-day."

Acting upon this suggestion I designated three seagoing officers, Capt. Richard Wainwright, Commander Robert S. Griffin, and Lieut. Commander Albert L. Key, all graduates of the Academy, to investigate conditions and to recommend to me the best method of carrying into effect this general recommendation. These officers performed the duty promptly and intelligently, and, under the personal direction of

Capt. Charles J. Badger, Superintendent of the Academy, such of the proposed changes as were deemed to be at present advisable were put into effect at the beginning of the academic year, October 1, last. The results, I am confident, will be most beneficial to the Academy, to the midshipmen, and to the Navy.

In foreign affairs this country's steady policy is to behave toward other nations as a strong and self-respecting man should behave toward the other men with whom he is brought into contact. In other words, our aim is disinterestedly to help other nations where such help can be wisely given without the appearance of meddling with what does not concern us; to be careful to act as a good neighbor; and at the same time, in good-natured fashion, to make it evident that we do not intend to be imposed upon.

The Second International Peace Conference was convened at The Hague on the 15th of June last and remained in session until the 18th of October. For the first time the representatives of practically all the civilized countries of the world united in a temperate and kindly discussion of the methods by which the causes of war might be narrowed and its injurious effects reduced.

Although the agreements reached in the Conference did not in any direction go to the length hoped for by the more sanguine, yet in many directions important steps were taken, and upon every subject on the programme there was such full and considerate discussion as to justify the belief that substantial progress has been made toward further agreements in the future. Thirteen conventions were agreed upon embodying the definite conclusions which had been reached, and resolutions were adopted marking the progress made in matters upon which agreement was not yet sufficiently complete to make conventions practicable.

The delegates of the United States were instructed to favor an agreement for obligatory arbitration, the establishment of a permanent court of arbitration to proceed judicially in the hearing and decision of international causes, the prohibition of force for the collection of contract debts alleged to be due from governments to citizens of other countries until after arbitration as to the justice and amount of the debt and the time and manner of payment, the immunity of private property at sea, the better definition of the rights of neutrals, and, in case any measure to that end should be introduced, the limitation of armaments.

In the field of peaceful disposal of international differences several important advances were made. First, as to obligatory arbitration. Although the Conference failed to secure a unanimous agreement upon the details of a convention for obligatory arbitration, it did resolve as follows:

"It is unanimous: (1) In accepting the principle for obligatory arbitration; (2) In declaring that certain differences, and notably those relating to the interpretation and application of international conventional stipulations are susceptible of being submitted to obligatory arbitration without any restriction."

In view of the fact that as a result of the discussion the vote upon the definite treaty of obligatory arbitration, which was proposed, stood 32 in favor to 9 against the adoption of the treaty, there can be little doubt that the great majority of the countries of the world have reached a point where they are now ready to apply practically the principles thus unanimously agreed upon by the Conference.

The second advance, and a very great one, is the agreement which relates to the use of force for the collection of contract debts. Your attention is invited to the paragraphs upon this subject in my Message of December, 1906, and to the resolution of the Third American Conference at Rio in the summer of 1906. The convention upon this subject adopted by the Conference substantially as proposed by the American delegates is as follows: :

"In order to avoid between nations armed conflicts of a purely pecuniary origin arising from contractual debts claimed of the government of one country by the government of another country to be due to its nationals, the signatory Powers agree not to have recourse to armed force for the collection of such contractual debts.

"However, this stipulation shall not be applicable when the debtor State refuses or leaves unanswered an offer to arbitrate, or, in case of acceptance, makes it impossible to formulate the terms of submission, or, after arbitration, fails to comply with the award rendered.

"It is further agreed that arbitration here contemplated shall be in conformity, as to procedure, with Chapter III of the Convention for the Pacific Settlement of International Disputes adopted at The Hague, and that it shall determine, in so far as there shall be no agreement between the parties, the justice and the amount of the debt, the time and mode of payment thereof."

Such a provision would have prevented much injustice and extortion in the past, and I cannot doubt that its effect in the future will be most salutary.

A third advance has been made in amending and perfecting the convention of 1899 for the voluntary settlement of international disputes, and particularly the extension of those parts of that convention which relate to commissions of inquiry. The existence of those provisions enabled the Governments of Great Britain and Russia to avoid war, notwithstanding great public excitement, at the time of the Dogger Bank incident, and the new convention agreed upon by the Conference gives practical effect to the experience gained in that inquiry.

Substantial progress was also made towards the creation of a permanent judicial tribunal for the determination of international causes. There was very full discussion of the proposal for such a court and a general agreement was finally reached in favor of its creation. The Conference recommended to the signatory Powers the adoption of a draft upon which it agreed for the organization of the court, leaving to be determined only the method by which the judges should be selected. This remaining unsettled question is plainly one which time and good temper will solve.

A further agreement of the first importance was that for the creation of an international prize court. The constitution, organization and procedure of such a tribunal were provided for in detail. Anyone who recalls the injustices under which this country suffered as a neutral power during the early part of the last century can not fail to see in this provision for an international prize court the great advance which the world is making towards the substitution of the rule of reason and justice in place of simple force. Not only will the international prize court be the means of protecting the interests of neutrals, but it is in itself a step towards the creation of the more general court for the hearing of international controversies to which reference has just been made. The organization and action of such a prize court can not fail to accustom the different countries to the submission of international questions to the decision of an international tribunal, and we may confidently expect the results of such submission to bring about a general agreement upon the enlargement of the practice.

Numerous provisions were adopted for reducing the evil effects of war and for defining the rights and duties of neutrals.

The Conference also provided for the holding of a third Conference within a period similar to that which elapsed between the First and Second Conferences.

The delegates of the United States worthily represented the spirit of the American people and maintained with fidelity and ability the policy of our Government upon all the great questions discussed in the Conference.

The report of the delegation, together with authenticated copies of the conventions signed, when received, will be laid before the Senate for its consideration.

When we remember how difficult it is for one of our own legislative bodies, composed of citizens of the same country, speaking the same language, living under the same laws, and having the same customs, to reach an agreement, or even to secure a majority upon any difficult and important subject which is proposed for legislation, it becomes plain that the representatives of forty-five different countries, speaking many different languages, accustomed to different methods of pro-

cedure, with widely diverse interests, who discussed so many different subjects and reached agreements upon so many, are entitled to grateful appreciation for the wisdom, patience, and moderation with which they have discharged their duty. The example of this temperate discussion, and the agreements and the efforts to agree, among representatives of all the nations of the earth, acting with universal recognition of the supreme obligation to promote peace, can not fail to be a powerful influence for good in future international relations.

A year ago in consequence of a revolutionary movement in Cuba which threatened the immediate return to chaos of the island, the United States intervened, sending down an army and establishing a provisional government under Governor Magoon. Absolute quiet and prosperity have returned to the island because of this action. We are now taking steps to provide for elections in the island and our expectation is within the coming year to be able to turn the island over again to a government chosen by the people thereof. Cuba is at our doors. It is not possible that this Nation should permit Cuba again to sink into the condition from which we rescued it. All that we ask of the Cuban people is that they be prosperous, that they govern themselves so as to bring content, order and progress to their island, the Queen of the Antilles; and our only interference has been and will be to help them achieve these results.

An invitation has been extended by Japan to the Government and people of the United States to participate in a great national exposition to be held at Tokyo from April 1 to October 31, 1912, and in which the principal countries of the world are to be invited to take part. This is an occasion of special interest to all the nations of the world, and peculiarly so to us; for it is the first instance in which such a great national exposition has been held by a great power dwelling on the Pacific; and all the nations of Europe and America will, I trust, join in helping to success this first great exposition ever held by a great nation of Asia. The geographical relations of Japan and the United States as the possessors of such large portions of the coasts of the Pacific, the intimate trade relations already existing between the two countries, the warm friendship which has been maintained between them without break since the opening of Japan to intercourse with the western nations, and her increasing wealth and production, which we regard with hearty goodwill and wish to make the occasion of mutually beneficial commerce, all unite in making it eminently desirable that this invitation should be accepted. I heartily recommend such legislation as will provide in generous fashion for the representation of this Government and its people in the proposed exposition. Action should be taken now. We are apt to underestimate the time necessary for preparation in such cases. The invitation to the French Exposition of 1900 was

brought to the attention of the Congress by President Cleveland in December, 1895; and so many are the delays necessary to such proceedings that the period of four years and a half which then intervened before the exposition proved none too long for the proper preparation of the exhibits.

The adoption of a new tariff by Germany, accompanied by conventions for reciprocal tariff concessions between that country and most of the other countries of continental Europe, led the German Government to give the notice necessary to terminate the reciprocal commercial agreement with this country proclaimed July 13, 1900. The notice was to take effect on the 1st of March, 1906, and in default of some other arrangements this would have left the exports from the United States to Germany subject to the general German tariff duties, from 25 to 50 per cent higher than the conventional duties imposed upon the goods of most of our competitors for German trade.

Under a special agreement made between the two Governments in February, 1906, the German Government postponed the operation of their notice until the 30th of June, 1907. In the meantime, deeming it to be my duty to make every possible effort to prevent a tariff war between the United States and Germany arising from misunderstanding by either country of the conditions existing in the other, and acting upon the invitation of the German Government, I sent to Berlin a commission composed of competent experts in the operation and administration of the customs tariff, from the Departments of the Treasury and Commerce and Labor. This commission was engaged for several months in conference with a similar commission appointed by the German Government, under instructions, so far as practicable, to reach a common understanding as to all the facts regarding the tariffs of the United States and Germany material and relevant to the trade relations between the two countries. The commission reported, and upon the basis of the report, a further temporary commercial agreement was entered into by the two countries, pursuant to which, in the exercise of the authority conferred upon the President by the third section of the tariff act of July 24, 1897, I extended the reduced tariff rates provided for in that section to champagne and all other sparkling wines, and pursuant to which the German conventional or minimum tariff rates were extended to about 96½ per cent of all the exports from the United States to Germany. This agreement is to remain in force until the 30th of June, 1908, and until six months after notice by either party to terminate it.

The agreement and the report of the commission on which it is based will be laid before the Congress for its information.

This careful examination into the tariff relations between the United States and Germany involved an inquiry into certain of our methods

of administration which had been the cause of much complaint on the part of German exporters. In this inquiry I became satisfied that certain vicious and unjustifiable practices had grown up in our customs administration, notably the practice of determining values of imports upon detective reports never disclosed to the persons whose interests were affected. The use of detectives, though often necessary, tends towards abuse, and should be carefully guarded. Under our practice as I found it to exist in this case, the abuse had become gross and discreditable. Under it, instead of seeking information as to the market value of merchandise from the well-known and respected members of the commercial community in the country of its production, secret statements were obtained from informers and discharged employees and business rivals, and upon this kind of secret evidence the values of imported goods were frequently raised and heavy penalties were frequently imposed upon importers who were never permitted to know what the evidence was and who never had an opportunity to meet it. It is quite probable that this system tended towards an increase of the duties collected upon imported goods, but I conceive it to be a violation of law to exact more duties than the law provides, just as it is a violation to admit goods upon the payment of less than the legal rate of duty. This practice was repugnant to the spirit of American law and to American sense of justice. In the judgment of the most competent experts of the Treasury Department and the Department of Commerce and Labor it was wholly unnecessary for the due collection of the customs revenues, and the attempt to defend it merely illustrates the demoralization which naturally follows from a long continued course of reliance upon such methods. I accordingly caused the regulations governing this branch of the customs service to be modified so that values are determined upon a hearing in which all the parties interested have an opportunity to be heard and to know the evidence against them. Moreover our Treasury agents are accredited to the government of the country in which they seek information, and in Germany receive the assistance of the quasi-official chambers of commerce in determining the actual market value of goods, in accordance with what I am advised to be the true construction of the law.

These changes of regulations were adapted to the removal of such manifest abuses that I have not felt that they ought to be confined to our relations with Germany; and I have extended their operation to all other countries which have expressed a desire to enter into similar administrative relations.

I ask for authority to re-form the agreement with China under which the indemnity of 1900 was fixed, by remitting and cancelling the obligation of China for the payment of all that part of the stipulated indemnity which is in excess of the sum of eleven million, six hundred

and fifty-five thousand, four hundred and ninety-two dollars and sixty-nine cents, and interest at four per cent. After the rescue of the foreign legations in Peking during the Boxer troubles in 1900 the Powers required from China the payment of equitable indemnities to the several nations, and the final protocol under which the troops were withdrawn, signed at Peking, September 7, 1901, fixed the amount of this indemnity allotted to the United States at over \$20,000,000, and China paid, up to and including the 1st day of June last, a little over \$6,000,000. It was the first intention of this Government at the proper time, when all claims had been presented and all expenses ascertained as fully as possible, to revise the estimates and account, and as a proof of sincere friendship for China voluntarily to release that country from its legal liability for all payments in excess of the sum which should prove to be necessary for actual indemnity to the United States and its citizens.

This Nation should help in every practicable way in the education of the Chinese people, so that the vast and populous Empire of China may gradually adapt itself to modern conditions. One way of doing this is by promoting the coming of Chinese students to this country and making it attractive to them to take courses at our universities and higher educational institutions. Our educators should, so far as possible, take concerted action toward this end.

On the courteous invitation of the President of Mexico, the Secretary of State visited that country in September and October and was received everywhere with the greatest kindness and hospitality.

He carried from the Government of the United States to our southern neighbor a message of respect and good will and of desire for better acquaintance and increasing friendship. The response from the Government and the people of Mexico was hearty and sincere. No pains were spared to manifest the most friendly attitude and feeling toward the United States.

In view of the close neighborhood of the two countries the relations which exist between Mexico and the United States are just cause for gratification. We have a common boundary of over 1,500 miles from the Gulf of Mexico to the Pacific. Much of it is marked only by the shifting waters of the Rio Grande. Many thousands of Mexicans are residing upon our side of the line and it is estimated that over 40,000 Americans are resident in Mexican territory and that American investments in Mexico amount to over seven hundred million dollars. The extraordinary industrial and commercial prosperity of Mexico has been greatly promoted by American enterprise, and Americans are sharing largely in its results. The foreign trade of the Republic already exceeds \$240,000,000 per annum, and of this two-thirds both of exports and imports are exchanged with the United States. Under

these circumstances numerous questions necessarily arise between the two countries. These questions are always approached and disposed of in a spirit of mutual courtesy and fair dealing. Americans carrying on business in Mexico testify uniformly to the kindness and consideration with which they are treated and their sense of the security of their property and enterprises under the wise administration of the great statesman who has so long held the office of Chief Magistrate of that Republic.

The two Governments have been uniting their efforts for a considerable time past to aid Central America in attaining the degree of peace and order which have made possible the prosperity of the northern ports of the Continent. After the peace between Guatemala, Honduras, and Salvador, celebrated under the circumstances described in my last Message, a new war broke out between the Republics of Nicaragua, Honduras, and Salvador. The effort to compose this new difficulty has resulted in the acceptance of the joint suggestion of the Presidents of Mexico and of the United States for a general peace conference between all the countries of Central America. On the 17th day of September last a protocol was signed between the representatives of the five Central American countries accredited to this Government agreeing upon a conference to be held in the City of Washington "in order to devise the means of preserving the good relations among said Republics and bringing about permanent peace in those countries." The protocol includes the expression of a wish that the Presidents of the United States and Mexico should appoint "representatives to lend their good and impartial offices in a purely friendly way toward the realization of the objects of the conference." The conference is now in session and will have our best wishes and, where it is practicable, our friendly assistance.

One of the results of the Pan American Conference at Rio Janeiro in the summer of 1906 has been a great increase in the activity and usefulness of the International Bureau of American Republics. That institution, which includes all the American Republics in its membership and brings all their representatives together, is doing a really valuable work in informing the people of the United States about the other Republics and in making the United States known to them. Its action is now limited by appropriations determined when it was doing a work on a much smaller scale and rendering much less valuable service. I recommend that the contribution of this Government to the expenses of the Bureau be made commensurate with its increased work.

THEODORE ROOSEVELT.

THE WHITE HOUSE.

December 3, 1907.

SPECIAL MESSAGE.

WHITE HOUSE, Jan. 31, 1908.

To the Senate and House of Representatives:

The recent decision of the Supreme Court in regard to the employers' liability act, the experience of the Interstate Commerce Commission and of the Department of Justice in enforcing the interstate commerce and antitrust laws, and the gravely significant attitude toward the law and its administration recently adopted by certain heads of great corporations, render it desirable that there should be additional legislation as regards certain of the relations between labor and capital, and between the great corporations and the public.

The Supreme Court has decided the employers' liability law to be unconstitutional because its terms apply to employees engaged wholly in intrastate commerce as well as to employees engaged in interstate commerce. By a substantial majority the Court holds that the Congress has power to deal with the question in so far as interstate commerce is concerned.

As regards the employers' liability law, I advocate its immediate reenactment, limiting its scope so that it shall apply only to the class of cases as to which the Court says it can constitutionally apply, but strengthening its provisions within this scope. Interstate employment being thus covered by an adequate national law, the field of intrastate employment will be left to the action of the several States. With this clear definition of responsibility the States will undoubtedly give to the performance of their duty within their field the consideration the importance of the subject demands.

I also very urgently advise that a comprehensive act be passed providing for compensation by the Government to all employees injured in the Government service. Under the present law an injured workman in the employment of the Government has no remedy, and the entire burden of the accident falls on the helpless man, his wife, and his young children. This is an outrage. It is a matter of humiliation to the Nation that there should not be on our statute books provision to meet and partially to atone for cruel misfortune when it comes upon a man through no fault of his own while faithfully serving the public. In no other prominent industrial country in the world could such gross injustice occur; for almost all civilized nations have enacted legislation embodying the complete recognition of the principle which places the entire trade risk for industrial accidents (excluding, of course, accidents due to willful misconduct by the employee) on the industry as

represented by the employer, which in this case is the Government. In all these countries the principle applies to the Government just as much as to the private employer. Under no circumstances should the injured employee or his surviving dependents be required to bring suit against the Government, nor should there be the requirement that in order to insure recovery negligence in some form on the part of the Government should be shown. Our proposition is not to confer a right of action upon the Government employee, but to secure him suitable provision against injuries received in the course of his employment. The burden of the trade risk should be placed upon the Government. Exactly as the workingman is entitled to his wages, so he should be entitled to indemnity for the injuries sustained in the natural course of his labor. The rates of compensation and the regulations for its payment should be specified in the law, and the machinery for determining the amount to be paid should in each case be provided in such manner that the employee is properly represented without expense to him. In other words, the compensation should be paid automatically, while the application of the law in the first instance should be vested in the Department of Commerce and Labor. The law should apply to all laborers, mechanics, and other civilian employees of the Government of the United States, including those in the service of the Panama Canal Commission and of the insular governments.

The same broad principle which should apply to the Government should ultimately be made applicable to all private employers. Where the Nation has the power it should enact laws to this effect. Where the States alone have the power they should enact the laws. It is to be observed that an employers' liability law does not really mean mulcting employers in damages. It merely throws upon the employer the burden of accident insurance against injuries which are sure to occur. It requires him either to bear or to distribute through insurance the loss which can readily be borne when distributed, but which, if undistributed, bears with frightful hardship upon the unfortunate victim of accident. In theory, if wages were always freely and fairly adjusted, they would always include an allowance as against the risk of injury, just as certainly as the rate of interest for money includes an allowance for insurance against the risk of loss. In theory, if employees were all experienced business men, they would employ that part of their wages which is received because of the risk of injury to secure accident insurance. But as a matter of fact it is not practical to expect that this will be done by the great body of employees. An employers' liability law makes it certain that it will be done, in effect, by the employer, and it will ultimately impose no real additional burden upon him.

There is a special bill to which I call your attention. Secretary Taft

has urgently recommended the immediate passage of a law providing for compensation to employees of the Government injured in the work of the Isthmian Canal, and that \$100,000 be appropriated for this purpose each year. I earnestly hope this will be done; and that a special bill be passed covering the case of Yardmaster Banton, who was injured nearly two years ago while doing his duty. He is now helpless to support his wife and his three little boys.

I again call your attention to the need of some action in connection with the abuse of injunctions in labor cases. As regards the rights and wrongs of labor and capital, from blacklisting to boycotting, the whole subject is covered in admirable fashion by the report of the Anthracite Coal Strike Commission, which report should serve as a chart for the guidance of both legislative and executive officers. As regards injunctions, I can do little but repeat what I have said in my last message to the Congress. Even though it were possible, I should consider it most unwise to abolish the use of the process of injunction. It is necessary in order that the courts may maintain their own dignity and in order that they may in effective manner check disorder and violence. The judge who uses it cautiously and conservatively, but who, when the need arises, uses it fearlessly, confers the greatest service upon our people, and his preeminent usefulness as a public servant should be heartily recognized. But there is no question in my mind that it has sometimes been used heedlessly and unjustly, and that some of the injunctions issued inflict grave and occasionally irreparable wrong upon those enjoined.

It is all wrong to use the injunction to prevent the entirely proper and legitimate actions of labor organizations in their struggle for industrial betterment, or under the guise of protecting property rights unwarrantably to invade the fundamental rights of the individual. It is futile to concede, as we all do, the right and the necessity of organized effort on the part of wage-earners and yet by injunctive process to forbid peaceable action to accomplish the lawful objects for which they are organized and upon which their success depends. The fact that the punishment for the violation of an injunction must, to make the order effective, necessarily be summary and without the intervention of a jury makes its issuance in doubtful cases a dangerous practice, and in itself furnishes a reason why the process should be surrounded with safeguards to protect individuals against being enjoined from exercising their proper rights. Reasonable notice should be given the adverse party.

This matter is daily becoming of graver importance and I can not too urgently recommend that the Congress give careful consideration to the subject. If some way of remedying the abuses is not found the feeling of indignation against them among large numbers of our citi-

zens will tend to grow so extreme as to produce a revolt against the whole use of the process of injunction. The ultra-conservatives who object to cutting out the abuses will do well to remember that if the popular feeling does become strong many of those upon whom they rely to defend them will be the first to turn against them. Men of property can not afford to trust to anything save the spirit of justice and fair play; for those very public men who, while it is to their interest, defend all the abuses committed by capital and pose as the champions of conservatism, will, the moment they think their interest changes, take the lead in just such a matter as this and pander to what they esteem popular feeling by endeavoring, for instance, effectively to destroy the power of the courts in matters of injunction; and will even seek to render nugatory the power to punish for contempt, upon which power the very existence of the orderly administration of justice depends.

It is my purpose as soon as may be to submit some further recommendations in reference to our laws regulating labor conditions within the sphere of Federal authority. A very recent decision of the Supreme Court of the United States rendered since this message was written, in the case of *Adair v. United States*, seemingly of far-reaching import and of very serious probable consequences, has modified the previously entertained views on the powers of the Congress in the premises to such a degree as to make necessary careful consideration of the opinions therein filed before it is possible definitely to decide in what way to call the matter to your attention.

Not only should there be action on certain laws affecting wage-earners; there should also be such action on laws better to secure control over the great business concerns engaged in interstate commerce, and especially over the great common carriers. The Interstate Commerce Commission should be empowered to pass upon any rate or practice on its own initiative. Moreover, it should be provided that whenever the Commission has reason to believe that a proposed advance in a rate ought not to be made without investigation, it should have authority to issue an order prohibiting the advance pending examination by the Commission.

I would not be understood as expressing an opinion that any or even a majority of these advances are improper. Many of the rates in this country have been abnormally low. The operating expenses of our railroads, notably the wages paid railroad employees, have greatly increased. These and other causes may in any given case justify an advance in rates, and if so the advance should be permitted and approved. But there may be, and doubtless are, cases where this is not true; and our law should be so framed that the Government, as the representative of the whole people, can protect the individual against

unlawful exaction for the use of these public highways. The Interstate Commerce Commission should be provided with the means to make a physical valuation of any road as to which it deems this valuation necessary. In some form the Federal Government should exercise supervision over the financial operations of our interstate railroads. In no other way can justice be done between the private owners of those properties and the public which pay their charges. When once an inflated capitalization has gone upon the market and has become fixed in value, its existence must be recognized. As a practical matter it is then often absolutely necessary to take account of the thousands of innocent stockholders who have purchased their stock in good faith. The usual result of such inflation is therefore to impose upon the public an unnecessary but everlasting tax, while the innocent purchasers of the stock are also harmed and only a few speculators are benefited. Such wrongs when once accomplished can with difficulty be undone; but they can be prevented with safety and with justice. When combinations of interstate railways must obtain Government sanction; when it is no longer possible for an interstate railway to issue stock or bonds, save in the manner approved by the Federal Government; when that Government makes sure that the proceeds of every stock and bond issue go into the improvement of the property and not the enrichment of some individual or syndicate; when, whenever it becomes material for guidance in the regulative action of the Government, the physical value of one of these properties is determined and made known—there will be eliminated from railroad securities that element of uncertainty which lends to them their speculative quality and which has contributed much to the financial stress of the recent past.

I think that the Federal Government must also assume a certain measure of control over the physical operation of railways in the handling of interstate traffic. The Commission now has authority to establish through routes and joint rates. In order to make this provision effective and in order to promote in times of necessity the proper movement of traffic, I think it must also have authority to determine the conditions upon which cars shall be interchanged between different interstate railways. It is also probable that the Commission should have authority, in particular instances, to determine the schedule upon which perishable commodities shall be moved.

In this connection I desire to repeat my recommendation that railways be permitted to form traffic associations for the purpose of conferring about and agreeing upon rates, regulations, and practices affecting interstate business in which the members of the association are mutually interested. This does not mean that they should be given the right to pool their earnings or their traffic. The law requires that rates shall be so adjusted as not to discriminate between in-

dividuals, localities, or different species of traffic. Ordinarily, rates by all competing lines must be the same. As applied to practical conditions, the railway operations of this country can not be conducted according to law without what is equivalent to conference and agreement. The articles under which such associations operate should be approved by the Commission; all their operations should be open to public inspection; and the rates, regulations, and practices upon which they agree should be subject to disapproval by the Commission.

I urge this last provision with the same earnestness that I do the others. This country provides its railway facilities by private capital. Those facilities will not be adequate unless the capital employed is assured of just treatment and an adequate return. In fixing the charges of our railroads, I believe that, considering the interests of the public alone, it is better to allow too liberal rather than too scanty earnings, for, otherwise, there is grave danger that our railway development may not keep pace with the demand for transportation. But the fundamental idea that these railways are public highways must be recognized, and they must be open to the whole public upon equal terms and upon reasonable terms.

In reference to the Sherman antitrust law, I repeat the recommendations made in my message at the opening of the present Congress, as well as in my message to the previous Congress. The attempt in this law to provide in sweeping terms against all combinations of whatever character, if technically in restraint of trade as such restraint has been defined by the courts, must necessarily be either futile or mischievous, and sometimes both. The present law makes some combinations illegal, although they may be useful to the country. On the other hand, as to some huge combinations which are both noxious and illegal, even if the action undertaken against them under the law by the Government is successful, the result may be to work but a minimum benefit to the public. Even though the combination be broken up and a small measure of reform thereby produced, the real good aimed at can not be obtained, for such real good can come only by a thorough and continuing supervision over the acts of the combination in all its parts, so as to prevent stock watering, improper forms of competition, and, in short, wrongdoing generally. The law should correct that portion of the Sherman Act which prohibits all combinations of the character above described, whether they be reasonable or unreasonable; but this should be done only as a part of a general scheme to provide for this effective and thoroughgoing supervision by the National Government of all the operations of the big interstate business concerns. Judge Hough, of New York, in his recent decision in the Harriman case, states that the Congress possesses the power to limit the interstate operations of corporations not complying with Federal safeguards

against the recurrence of obnoxious practices, and to license those which afford the public adequate security against methods calculated to diminish solvency, and therefore efficiency and economy in interstate transportation. The judge adds that in these matters "the power of Congress is ample, though as yet not fruitful in results." It is very earnestly to be desired that either along the lines the judge indicates, or in some other way equally efficacious, the Congress may exercise the power which he holds it possesses.

Superficially it may seem that the laws, the passage of which I herein again advocate—for I have repeatedly advocated them before—are not connected. But in reality they are connected. Each and every one of these laws, if enacted, would represent part of the campaign against privilege, part of the campaign to make the class of great property holders realize that property has its duties no less than its rights. When the courts guarantee to the employer, as they should, the rights of the employer, and to property the rights of property, they should no less emphatically make it evident that they will exact from property and from the employer the duties which should necessarily accompany these rights; and hitherto our laws have failed in precisely this point of enforcing the performance of duty by the man of property toward the man who works for him, by the man of great wealth, especially if he uses that wealth in corporate form, toward the investor, the wage-worker, and the general public. The permanent failure of the man of property to fulfill his obligations would ultimately assure the wresting from him of the privileges which he is entitled to enjoy only if he recognizes the obligations accompanying them. Those who assume or share the responsibility for this failure are rendering but a poor service to the cause which they believe they champion.

I do not know whether it is possible, but if possible, it is certainly desirable, that in connection with measures to restrain stock watering and overcapitalization there should be measures taken to prevent at least the grosser forms of gambling in securities and commodities, such as making large sales of what men do not possess and "cornering" the market. Legitimate purchases of commodities and of stocks and securities for investment have no connection whatever with purchases of stocks or other securities or commodities on a margin for speculative and gambling purposes. There is no moral difference between gambling at cards or in lotteries or on the race track and gambling in the stock market. One method is just as pernicious to the body politic as the other in kind, and in degree the evil worked is far greater. But it is a far more difficult subject with which to deal. The great bulk of the business transacted on the exchanges is not only legitimate, but is necessary to the working of our modern industrial system, and extreme care would have to be taken not to interfere with this business

in doing away with the "bucket shop" type of operation. We should study both the successes and the failures of foreign legislators who, notably in Germany, have worked along this line, so as not to do anything harmful. Moreover, there is a special difficulty in dealing with this matter by the Federal Government in a Federal Republic like ours. But if it is possible to devise a way to deal with it the effort should be made, even if only in a cautious and tentative way. It would seem that the Federal Government could at least act by forbidding the use of the mails, telegraph and telephone wires for mere gambling in stocks and futures, just as it does in lottery transactions.

I inclose herewith a statement issued by the Chief of the Bureau of Corporations (Appendix 1) in answer to certain statements (which I also inclose) made by and on behalf of the agents of the Standard Oil Corporation (Appendix 2) and a letter of the Attorney-General (Appendix 3) containing an answer to certain statements, also inclosed, made by the president of the Santa Fe Railway Company (Appendix 4). The Standard Oil Corporation and the railway company have both been found guilty by the courts of criminal misconduct; both have been sentenced to pay heavy fines; and each has issued and published broadcast these statements, asserting their innocence and denouncing as improper the action of the courts and juries in convicting them of guilt. These statements are very elaborate, are very ingenious, and are untruthful in important particulars. The following letter and inclosure from Mr. Heney sufficiently illustrate the methods of the high officials of the Santa Fe and show the utter falsity of their plea of ignorance, the similar plea of the Standard Oil being equally without foundation:

DEPARTMENT OF JUSTICE,
OFFICE OF THE UNITED STATES ATTORNEY,
DISTRICT OF OREGON,
PORTLAND, Jan. 11, 1908.

The PRESIDENT,

Washington, D. C.

DEAR MR. PRESIDENT: I understand that Mr. Ripley, of the Atchison, Topeka and Santa Fe Railway system, has commented with some severity upon your attitude toward the payment of rebates by certain transcontinental railroads and that he has declared that he personally never knew anything about any rebates being granted by his road. * * * I inclose you herewith copy of a letter from Edward Chambers, general freight traffic manager of the Atchison, Topeka and Santa Fe Railway system, to Mr. G. A. Davidson, auditor of the same company, dated February 27, 1907. * * *

This letter does not deal with interstate shipments, but the constitu-

tion of the State of California makes the payment of rebates by railroads a felony, and Mr. Ripley has apparently not been above the commission of crime to secure business. You are at liberty to use this inclosure in any way that you think it can be of service to yourself or the public. * * *

Sincerely, yours,

FRANCIS J. HENEY.

SAN FRANCISCO, Feb. 27, 1907.

DEAR SIR: I hand you herewith a file of papers covering the movement of fuel oil shipped by the Associated Oil Company over our line from January 1, 1906, up to and including November 15, 1906.

We agreed with the Associated Oil Co.'s negotiations with Mr. Ripley, Mr. Wells, and myself, that in consideration of their making us a special price on oil for company use, which is covered by a contract, and the further consideration that we would take a certain quantity, they would in turn ship from Bakersfield over our line to San Francisco Bay points a certain minimum number of barrels of fuel oil at rate of 25 cents per barrel from Bakersfield, exclusive of the switching charge.

These statements cover the movement, except that they have included Stockton, which is not correct, as it is not a bay point and could not be reached as conveniently by water. We have paid them on account of this movement \$7,239 which should be deducted from the total of movement shown in the attached papers.

I wish you would arrange to make up a statement, check the same, and refund to the Associated Oil Company down to the basis of 25 cents per barrel from Bakersfield where they are the shippers, regardless of who is consignee, as all their fuel oil is sold delivered. The reason for making this deal in addition to what I have stated, is that the Associated Oil Company have their own boats and carry oil from fields controlled by themselves along the coast near San Luis Obispo to San Francisco at a much lower cost than the special rate we have made them and in competition with the Union Oil Company and the Standard Oil Company, it was necessary for them to sell at the San Francisco Bay points on the basis of the cost of water transportation from the coast fields. They figured they could only afford to pay us the 25 cents per barrel if by doing this they sold our company a certain amount of fuel oil, otherwise the business covered by the attached papers would have come in by boat from the coast fields.

I am writing this up completely so that there may be in the papers a history of the reasons why this arrangement was made. I wish you would go ahead and make the adjustment as soon as possible, as the Associated Oil Company are very anxious to have the matter closed up.

The arrangement was canceled on November 15th at a conference between Mr. Ripley, Mr. Wells, Mr. Porter, and myself.

Yours, truly,

EDWARD CHAMBERS.

SHIPMENTS-ASSOCIATED OIL COMPANY,

Mr. G. A. DAVIDSON,

Auditor, Los Angeles.

The attacks by these great corporations on the Administration's actions have been given a wide circulation throughout the country, in the newspapers and otherwise, by those writers and speakers who, consciously or unconsciously, act as the representatives of predatory wealth—of the wealth accumulated on a giant scale by all forms of iniquity, ranging from the oppression of wageworkers to unfair and unwholesome methods of crushing out competition, and to defrauding the public by stock jobbing and the manipulation of securities. Certain wealthy men of this stamp, whose conduct should be abhorrent to every man of ordinarily decent conscience, and who commit the hideous wrong of teaching our young men that phenomenal business success must ordinarily be based on dishonesty, have during the last few months made it apparent that they have banded together to work for a reaction. Their endeavor is to overthrow and discredit all who honestly administer the law, to prevent any additional legislation which would check and restrain them, and to secure if possible a freedom from all restraint which will permit every unscrupulous wrongdoer to do what he wishes unchecked provided he has enough money. The only way to counteract the movement in which these men are engaged is to make clear to the public just what they have done in the past and just what they are seeking to accomplish in the present.

The Administration and those who support its views are not only not engaged in an assault on property, but are strenuous upholders of the rights of property. The wise attitude to take is admirably stated by Governor Fort, of New Jersey, in his recent inaugural address; the principles which he upholds as regards the State being of course identical with those which should obtain as regards the Nation.

"Just and fair regulation can only be objected to by those misconceiving the rights of the State. The State grants all corporate powers to its railways and other public utility corporations, and may not only modify, but repeal all charters and charter privileges it confers. It may, therefore, impose conditions upon their operation at its pleasure. Of course in the doing of these things, it should act wisely and with conservatism, protecting all vested rights of property and the interests of the innocent holders of the securities of existing *quasi*-public corporations. Regulation, therefore, upon a wise basis, of the operation of these public utilities companies, including the fixing of rates and

public charges, upon complaint and subject to court review, should be intrusted to a proper board, as well as the right to regulate the output of stock and the bonded issues of such corporations. If this were done, it would inure to the benefit of the people and the companies, for it would fix the value of such securities, and act as a guaranty against their depreciation. Under such a law, the holders of existing securities would find them protected, and new securities offered would have the confidence of the people, because of the guaranty of the State that they were only issued for extensions or betterments and upon some basis of the cost of such extensions and betterments. It is difficult to suggest any legislation that would give greater confidence to the public and investors than a wise public utilities bill; and the mere suggestion of its enactment should cause this class of security holders to feel that their holdings were strengthened, and that the State was about to aid the managers of its public utility corporations to conserve their corporate property for the public benefit and for the protection of invested capital. * * *

"The time has come for the strict supervision of these great corporations and the limitation of their stock and bond issues under some proper public official. It will make for conservatism, and strengthen the companies doing a legitimate business, and eliminate, let us hope, those which are merely speculative in character and organized simply to catch the unsuspecting or credulous investor. Corporations have come in our business world to remain for all time. Corporate methods are the most satisfactory for business purposes in many cases. Every business or enterprise honestly incorporated should be protected, and the public made to feel confidence in its corporate organization. Capital invested in corporations must be as free from wrongful attack as that invested by individuals, and the State should do everything to foster and protect invested corporate capital and encourage the public in giving to it support and confidence. Nothing will do so much to achieve this desirable result as proper supervision and reasonable control over stock and bond issues, so that overcapitalization will be prevented and the people may know when they buy a share of stock or a bond * * * that the name of the State upon it stands as a guaranty that there is value behind it and reasonable safety in its purchase. The act must make it clear that the intent of the supervision by the Commissioner is not for the purpose of striking at corporate organizations or invested corporate capital, but rather to recognize and protect existing conditions and insure greater safeguards for the future. * * *

"Capital does not go into a State where reprisals are taken or vested interests are injured; it comes only where wise, conservative, safe treatment is assured, and it should be our policy to encourage and

secure corporate rights and the best interests of stock and bond holders committed to our legal care."

Under no circumstances would we countenance attacks upon law-abiding property, or do aught but condemn those who hold up rich men as being evil men because of their riches. On the contrary, our whole effort is to insist upon conduct, and neither wealth nor property nor any other class distinction, as being the proper standard by which to judge the actions of men. For the honest man of great wealth we have a hearty regard, just as we have a hearty regard for the honest politician and honest newspaper. But part of the movement to uphold honesty must be a movement to frown on dishonesty. We attack only the corrupt men of wealth, who find in the purchased politician the most efficient instrument of corruption and in the purchased newspaper the most efficient defender of corruption. Our main quarrel is not with these agents and representatives of the interests. They derive their chief power from the great sinister offenders who stand behind them. They are but puppets who move as the strings are pulled. It is not the puppets, but the strong cunning men and the mighty forces working for evil behind and through the puppets, with whom we have to deal. We seek to control law-defying wealth; in the first place to prevent its doing dire evil to the Republic, and in the next place to avoid the vindictive and dreadful radicalism which, if left uncontrolled, it is certain in the end to arouse. Sweeping attacks upon all property, upon all men of means, without regard to whether they do well or ill, would sound the death-knell of the Republic; and such attacks become inevitable if decent citizens permit those rich men whose lives are corrupt and evil to domineer in swollen pride, unchecked and unhindered, over the destinies of this country. We act in no vindictive spirit, and we are no respecters of persons. If a labor union does wrong, we oppose it as firmly as we oppose a corporation which does wrong; and we stand equally stoutly for the rights of the man of wealth and for the rights of the wageworker. We seek to protect the property of every man who acts honestly, of every corporation that represents wealth honestly accumulated and honestly used. We seek to stop wrongdoing, and we desire to punish the wrongdoers only so far as is necessary to achieve this end.

There are ample material rewards for those who serve with fidelity the mammon of unrighteousness; but they are dearly paid for by the people who permit their representatives, whether in public life, in the press, or in the colleges where their young men are taught, to preach and to practice that there is one law for the rich and another for the poor. The amount of money the representatives of certain great moneyed interests are willing to spend can be gauged by their recent publication broadcast throughout the papers of this country, from the At-

lantic to the Pacific, of huge advertisements attacking with envenomed bitterness the Administration's policy of warring against successful dishonesty, and by their circulation of pamphlets and books prepared with the same object; while they likewise push the circulation of the writings and speeches of men who, whether because they are misled, or because, seeing the light, they are willing to sin against the light, serve these their masters of great wealth to the cost of the plain people. The books and pamphlets, the controlled newspapers, the speeches by public or private men to which I refer, are usually and especially in the interest of the Standard Oil Trust and of certain notorious railroad combinations, but they also defend other individuals and corporations of great wealth that have been guilty of wrongdoing. It is only rarely that the men responsible for the wrongdoing themselves speak or write. Normally they hire others to do their bidding, or find others who will do it without hire. From the railroad-rate law to the pure-food law, every measure for honesty in business that has been passed during the last six years has been opposed by these men on its passage and in its administration with every resource that bitter and unscrupulous craft could suggest and the command of almost unlimited money secure. But for the last year the attack has been made with most bitterness upon the actual administration of the law, especially through the Department of Justice, but also through the Interstate Commerce Commission and the Bureau of Corporations. The extraordinary violence of the assaults upon our policy contained in these speeches, editorials, articles, advertisements, and pamphlets, and the enormous sums of money spent in these various ways, give a fairly accurate measure of the anger and terror which our public actions have caused the corrupt men of vast wealth to feel in the very marrow of their being. The attack is sometimes made openly against us for enforcing the law, and sometimes with a certain cunning, for not trying to enforce it in some other way than that which experience shows to be practical. One of the favorite methods of the latter class of assailant is to attack the Administration for not procuring the imprisonment instead of the fine of offenders under these antitrust laws. The man making this assault is usually either a prominent lawyer or an editor who takes his policy from the financiers and his arguments from their attorneys. If the former, he has defended and advised many wealthy malefactors, and he knows well that, thanks to the advice of lawyers like himself, a certain kind of modern corporation has been turned into an admirable instrument by which to render it well-nigh impossible to get at the head of the corporation, at the man who is really most guilty. When we are able to put the real wrongdoer in prison, this is what we strive to do; this is what we have actually done with some very wealthy criminals, who, moreover, represented that most baneful of all alliances, the alliance

between the corruption of organized politics and the corruption of high finance. This is what we have done in the Gaynor and Greene case, in the case of the misapplication of funds in connection with certain great banks in Chicago, in the land-fraud cases, where, as in other cases likewise, neither the highest political position nor the possession of great wealth, has availed to save the offenders from prison. The Federal Government does scourge sin; it does bid sinners fear; for it has put behind the bars with impartial severity, the powerful financier, the powerful politician, the rich land thief, the rich contractor—all, no matter how high their station, against whom criminal misdeeds can be proved. All their wealth and power can not protect them. But it often happens that the effort to imprison a given defendant is certain to be futile, while it is possible to fine him or to fine the corporation of which he is head; so that, in other words, the only way of punishing the wrong is by fining the corporation, unless we are content to proceed personally against the minor agents. The corporation lawyers to whom I refer and their employers are the men mainly responsible for this state of things, and their responsibility is shared with all who ingeniously oppose the passing of just and effective laws, or who fail to execute them when they have been put on the statute books.

Much is said, in these attacks upon the policy of the present Administration, about the rights of "innocent stockholders." That stockholder is not innocent who voluntarily purchases stock in a corporation whose methods and management he knows to be corrupt; and "innocent stockholders" when a great law-defying corporation is punished, are the first estopped from complaining about the proceedings the Government finds necessary in order to compel the corporation to obey the law. There has been in the past grave wrong done innocent stockholders by overcapitalization, stock-watering, stock jobbing, stock-manipulation. This we have sought to prevent, first, by exposing the thing done and punishing the offender when any existing law had been violated; second, by recommending the passage of laws which would make unlawful similar practices for the future. The public men, lawyers, and editors who loudly proclaim their sympathy for the "innocent stockholders" when a great lawdefying corporation is punished, are the first to protest with frantic vehemence against all efforts by law to put a stop to the practices which are the real and ultimate sources of the damage alike to the stockholders and the public. The apologists of successful dishonesty always declaim against any effort to punish or prevent it, on the ground that any such effort will "unsettle business." It is they who by their acts have unsettled business; and the very men raising this cry spend hundreds of thousands of dollars in securing, by speech, editorial, book, or pamphlet, the defense by misstatements of what they have done; and yet when public servants correct their mis-

statements by telling the truth they declaim against them for breaking silence, lest "values be depreciated." They have hurt honest business men, honest workingmen, honest farmers; and now they clamor against the truth being told.

The keynote of all these attacks upon the effort to secure honesty in business and in politics is well expressed in brazen protests against any effort for the moral regeneration of the business world, on the ground that it is unnatural, unwarranted, and injurious, and that business panic is the necessary penalty for such effort to secure business honesty. The morality of such a plea is precisely as great as if made on behalf of the men caught in a gambling establishment when that gambling establishment is raided by the police. If such words mean anything they mean that those whose sentiments they represent stand against the effort to bring about a moral regeneration of business which will prevent a repetition of the insurance, banking, and street railroad scandals in New York; a repetition of the Chicago and Alton deal; a repetition of the combination between certain professional politicians, certain professional labor leaders, and certain big financiers, from the disgrace of which San Francisco has just been rescued; a repetition of the successful effort by the Standard Oil people to crush out every competitor, to overawe the common carriers, and to establish a monopoly which treats the public with a contempt which the public deserves so long as it permits men of such principles and such sentiments to avow and act on them with impunity. The outcry against stopping dishonest practices among wrongdoers who happen to be wealthy is precisely similar to the outcry raised against every effort for cleanliness and decency in city government, because, forsooth, it will "hurt business." The same outcry is made against the Department of Justice for prosecuting the heads of colossal corporations that has been made against the men who in San Francisco have prosecuted with impartial severity the wrongdoers among business men, public officials, and labor leaders alike. The principle is the same in the two cases. Just as the blackmailer and bribe giver stand on the same evil eminence of infamy, so the man who makes an enormous fortune by corrupting legislatures and municipalities and fleecing his stockholders and the public, stands on the same moral level with the creature who fattens on the blood money of the gambling house and the saloon. Moreover, in the last analysis, both kinds of corruption are far more intimately connected than would at first sight appear; the wrongdoing is at bottom the same. Corrupt business and corrupt politics act and react with ever increasing debasement, one on the other; the corrupt head of a corporation and the corrupt labor leader are both in the same degree the enemies of honest corporations and honest labor unions; the rebate taker, the franchise trafficker, the manipulator of

securities, the purveyor and protector of vice, the blackmailing ward boss, the ballot-box stuffer, the demagogue, the mob leader, the hired bully, and mankiller—all alike work at the same web of corruption, and all alike should be abhorred by honest men.

The "business" which is hurt by the movement for honesty is the kind of business which, in the long run, it pays the country to have hurt. It is the kind of business which has tended to make the very name "high finance" a term of scandal to which all honest American men of business should join in putting an end. The special pleaders for business dishonesty, in denouncing the present Administration for enforcing the law against the huge and corrupt corporations which have defied the law, also denounce it for endeavoring to secure sadly needed labor legislation, such as a far-reaching law making employer liable for injuries to their employees. It is meet and fit that the apologists for corrupt wealth should oppose every effort to relieve weak and helpless people from crushing misfortune brought upon them by injury in the business from which they gain a bare livelihood. The burden should be distributed.. It is hypocritical baseness to speak of a girl who works in a factory where the dangerous machinery is unprotected as having the "right" freely to contract to expose herself to dangers to life and limb. She has no alternative but to suffer want or else to expose herself to such dangers, and when she loses a hand or is otherwise maimed or disfigured for life, it is a moral wrong that the whole burden of the risk necessarily incidental to the business should be placed with crushing weight upon her weak shoulders, and all who profit by her work escape scot-free. This is what opponents of a just employers' liability law advocate; and it is consistent that they should usually also advocate immunity for those most dangerous members of the criminal class—the criminals of great wealth.

Our opponents have recently been bitterly criticising the two judges referred to in the accompanying communications from the Standard Oil Company and the Santa Fe Railroad for having imposed heavy fines on these two corporations; and yet these same critics of these two judges exhaust themselves in denouncing the most respectful and cautious discussion of the official action of a judge which results in immunity to wealthy and powerful wrongdoers or which renders nugatory a temperate effort to better the conditions of life and work among those of our fellow countrymen whose need is greatest. Most certainly it behooves us all to treat with the utmost respect the high office of judge; and our judges, as a whole, are brave and upright men. Respect for the law must go hand in hand with respect for the judges; and, as a whole, it is true now as in the past that the judges stand in character and service above all other men among their fellow-servants of the public. There is all the greater need that the few who fail in

this great office, who fall below this high standard of integrity, of wisdom, of sympathetic understanding and of courage, should have their eyes opened to the needs of their countrymen. A judge who on the bench either truckles to the mob and shrinks from sternly repressing violence and disorder, or bows down before a corporation; who fails to stand up valiantly for the rights of property on the one hand, or on the other by misuse of the process of injunction or by his attitude toward all measures for the betterment of the conditions of labor, makes the ~~wageworker~~ ^{wage}worker feel with bitterness that the courts are hostile to him; or who fails to realize that all public servants in their several stations must strive to stop the abuses of the criminal rich—such a man performs an even worse service to the body politic than the legislator or executive who goes wrong. The judge who does his full duty well stands higher, and renders a better service to the people, than any other public servant; he is entitled to greater respect; and if he is a true servant of the people, if he is upright, wise and fearless, he will unhesitatingly disregard even the wishes of the people if they conflict with the eternal principles of right as against wrong. He must serve the people; but he must serve his own conscience first. All honor to such a judge; and all honor can not be rendered him if it is rendered equally to his brethren who fall immeasurably below the high ideals for which he stands. Untruthful criticism is wicked at all times, and whoever may be the object; but it is a peculiarly flagrant iniquity when a judge is the object. No man should lightly criticize a judge; no man shall, even in his own mind, condemn a judge unless he is sure of the facts. If a judge is assailed for standing against popular folly, and above all for standing against mob violence, all honorable men should rally instantly to his support. Nevertheless if he clearly fails to do his duty by the public in dealing with lawbreaking corporations, lawbreaking men of wealth, he must expect to feel the weight of public opinion; and this is but right, for except in extreme cases this is the only way in which he can be reached at all. No servant of the people has a right to expect to be free from just and honest criticism.

The opponents of the measures we champion single out now one and now another measure for especial attack, and speak as if the movement in which we are engaged was purely economic. It has a large economic side, but it is fundamentally an ethical movement. It is not a movement to be completed in one year, or two or three years; it is a movement which must be persevered in until the spirit which lies behind it sinks deep into the heart and the conscience of the whole people. It is always important to choose the right means to achieve our purpose, but it is even more important to keep this purpose clearly before us; and this purpose is to secure national honesty in business and in politics. We do not subscribe to the cynical belief that dishonesty

and unfair dealing are essential to business success, and are to be condoned when the success is moderate and applauded when the success is great. The methods by which the Standard Oil people and those engaged in the other combinations of which I have spoken above have achieved great fortunes can only be justified by the advocacy of a system of morality which would also justify every form of criminality on the part of a labor union, and every form of violence, corruption, and fraud, from murder to bribery and ballot-box stuffing in politics. We are trying to secure equality of opportunity for all; and the struggle for honesty is the same whether it is made on behalf of one set of men or of another. In the interest of the small settlers and landowners, and against the embittered opposition of wealthy owners of huge wandering flocks of sheep, or of corporations desiring to rob the people of coal and timber, we strive to put an end to the theft of public land in the West. When we do this, and protest against the action of all men, whether in public life or in private life, who either take part in or refuse to try to stop such theft, we are really engaged in the same policy as when we endeavor to put a stop to rebates or to prevent the upgrowth of uncontrolled monopolies. Our effort is simply to enforce the principles of common honesty and common sense. It would indeed be ill for the country should there be any halt in our work.

The laws must in the future be administered as they are now being administered, so that the Department of Department of Justice may continue to be, what it now is, in very fact the Department of Justice, where so far as our ability permits justice is meted out with an even hand to great and small, rich and poor, weak and strong. Moreover, there should be no delay in supplementing the laws now on the statute books by the enactment of further legislation as outlined in the message I sent to the Congress on its assembling. Under the existing laws much, very much, has been actually accomplished during the past six years, and it has been shown by actual experience that they can be enforced against the wealthiest corporation and the richest and most powerful manager or manipulator of that corporation, as rigorously and fearlessly as against the humblest offender. Above all, they have been enforced against the very wrongdoers and agents of wrongdoers who have for so many years gone scot-free and flouted the laws with impunity, against great law-defying corporations of immense wealth, which, until within the last half dozen years, have treated themselves and have expected others to treat them as being beyond and above all possible check from law.

It is especially necessary to secure to the representatives of the National Government full power to deal with the great corporations engaged in interstate commerce, and above all, with the great interstate common carriers. Our people should clearly recognize that while

there are difficulties in any course of conduct to be followed in dealing with these great corporations, these difficulties must be faced, and one of three courses followed.

The first course is to abandon all effort to oversee and control their actions in the interest of the general public and to permit a return to the utter lack of control which would obtain if they were left to the common law. I do not for one moment believe that our people would tolerate this position. The extraordinary growth of modern industrialism has rendered the common law, which grew up under and was adapted to deal with totally different conditions, in many respects inadequate to deal with the new conditions. These new conditions make it necessary to shackle cunning as in the past we have shackled force. The vast individual and corporate fortunes, the vast combinations of capital, which have marked the development of our industrial system, create new conditions, and necessitate a change from the old attitude of the State and the Nation toward the rules regulating the acquisition and untrammelled business use of property, in order both that property may be adequately protected, and that at the same time those who hold it may be prevented from wrongdoing.

The second and third courses are to have the regulation undertaken either by the Nation or by the States. Of course in any event both the National Government and the several State governments must do each its part, and each can do a certain amount that the other can not do, while the only really satisfactory results must be obtained by the representatives of the National and State governments working heartily together within their respective spheres. But in my judgment thoroughgoing and satisfactory control can in the end only be obtained by the action of the National Government, for almost all the corporations of enormous wealth—that is, the corporations which it is especially desirable to control—are engaged in interstate commerce, and derive their power and their importance not from that portion of their business which is intrastate, but from the interstate business. It is not easy always to decide just where the line of demarcation between the two kinds of business falls. This line must ultimately be drawn by the Federal courts. Much of the effort to secure adequate control of the great corporations by State action has been wise and effective, but much of it has been neither; for when the effort is made to accomplish by the action of the State what can only be accomplished by the action of the Nation, the result can only be disappointment, and in the end the law will probably be declared unconstitutional. So likewise in the national arena, we who believe in the measures herein advocated are hampered and not aided by the extremists who advocate action so violent that it would either be useless or else would cause more mischief than it would remedy.

In a recent letter from a learned judge of the supreme court of one of the Gulf States, the writer speaks as follows:

"In all matters pertaining to interstate commerce the authority of the National Government already exists and does not have to be acquired, and the exercise of this existing authority can be in no sense a usurpation of, or infringement upon, the rights of the States. On the contrary, had the Federal Government given this question more attention in the past and applied a vigorous check to corporate abuses, conditions would now be better, because the States would have had fewer real or imaginary grievances and have had less cause not only to attempt the exercise of the authority reserved to the National Government, but to act without proper moderation in matters peculiarly within their own provinces. The National Government has been remiss in the past, but even at this late day it can solve this problem, and the sooner the National authority is exercised the less apt are the States to take action which will represent encroachment upon the National domain. There is a field of operations for both powers, and plenty alike for National and State governments to do in order to protect both the people and the public utilities. The line of demarcation between Federal and State authority can and should be speedily settled by the Federal courts. The fact that the National Government has omitted to exercise the authority conferred upon it by the interstate commerce clause of the Constitution has made the States restive under what they deem corporate abuses, and in some cases has probably stimulated them to go too far in the attempt to correct these abuses, with the result that all measures which they passed, good or bad, have been held up by the Federal courts. The necessary equitable and uniform regulation can not be obtained by the separate action of the States, but only by the affirmative action of the National Government."

This is an appeal by a high State judge, alarmed, as good citizens should be alarmed, by conflicts over the matter of jurisdiction, and by the radical action advocated by honest people smarting from a sense of injury received from corporations; which injury the Federal courts forbid the States to try to remedy, while the Federal Government nevertheless refrains from itself taking adequate measures to provide a remedy. It can not too strongly be insisted that the defenders and apologists of the great corporations, who have sought in the past and still seek to prevent adequate action by the Federal Government to control these great corporations, are not only proving false to the people, but are laying up a day of wrath for the great corporations themselves. The Nation will not tolerate an utter lack of control over very wealthy men of enormous power in the industrial, and therefore in the social, lives of all our people, some of whom have shown themselves cynically and brutally indifferent to the interests of the people; and if the Con-

gress does not act, with good tempered and sensible but resolute thoroughness, in cutting out the evils and in providing an effective supervision, the result is certain to be action on the part of the separate States, sometimes wise, sometimes ill-judged and extreme, sometimes unjust and damaging to the railroads or other corporations, more often ineffective from every standpoint, because the Federal courts declare it unconstitutional.

We have just passed through two months of acute financial stress. At any such time it is a sad fact that entirely innocent people suffer from no fault of their own; and everyone must feel the keenest sympathy for the large body of honest business men, of honest investors, of honest wageworkers, who suffer because involved in a crash for which they are in no way responsible. At such a time there is a natural tendency on the part of many men to feel gloomy and frightened at the outlook; but there is no justification for this feeling. There is no nation so absolutely sure of ultimate success as ours. Of course we shall succeed. Ours is a nation of masterful energy, with a continent for its domain, and it feels within its veins the thrill which comes to those who know that they possess the future. We are not cast down by the fear of failure. We are upheld by the confident hope of ultimate triumph. The wrongs that exist are to be corrected; but they in no way justify doubt as to the final outcome, doubt as to the great material prosperity of the future, or of the lofty spiritual life which is to be built upon that prosperity as a foundation. No misdeeds in the present must be permitted to shroud from our eyes the glorious future of the Nation; but because of this very fact it behooves us never to swerve from our resolute purpose to cut out wrongdoing and uphold what is right.

I do not for a moment believe that the actions of this Administration have brought on business distress; so far as this is due to local and not world-wide causes, and to the actions of any particular individuals, it is due to the speculative folly and flagrant dishonesty of a few men of great wealth, who seek to shield themselves from the effects of their own wrongdoing by ascribing its results to the actions of those who have sought to put a stop to the wrongdoing. But if it were true that to cut out rottenness from the body politic meant a momentary check to an unhealthy seeming prosperity, I should not for one moment hesitate to put the knife to the corruption. On behalf of all our people, on behalf no less of the honest man of means than of the honest man who earns each day's livelihood by that day's sweat of his brow, it is necessary to insist upon honesty in business and politics alike, in all walks of life, in big things and in little things; upon just and fair dealing as between man and man. Those who demand this

are striving for the right in the spirit of Abraham Lincoln when he said:

"Fondly do we hope, fervently do we pray, that this mighty scourge may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsmen's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, 'The judgments of the Lord are true and righteous altogether.'"

"With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in."

In the work we of this generation are in, there is, thanks be to the Almighty, no danger of bloodshed and no use for the sword; but there is grave need of those stern qualities shown alike by the men of the North and the men of the South in the dark days when each valiantly battled for the light as it was given each to see the light. Their spirit should be our spirit, as we strive to bring nearer the day when greed and trickery and cunning shall be trampled under foot by those who fight for the righteousness that exalteth a nation.

THEODORE ROOSEVELT.

THE WHITE HOUSE,
January 31, 1908.

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Ableman vs. Booth.—An important Supreme Court case maintaining the constitutionality of the fugitive-slave law of 1850. Booth was tried before a commissioner appointed by the United States district court of Wisconsin for violation of the fugitive-slave law, and ordered to appear before the district court. Failing to do so, he was imprisoned by Ableman, the United States marshal for the district, but was released by the supreme court of the State on a writ of *habeas corpus*. Later he was indicted before the United States district court, but was again released by the State supreme court. In 1858 the case came before the United States Supreme Court. Booth had pleaded the unconstitutionality of the law. The court upheld the law and reversed the decision of the State supreme court.

Abnaki or Tarrateen Indians.—A confederacy of tribes of the Algonquian stock of Indians, who originally inhabited the northeastern part of the United States, including the present State of Maine and parts of adjoining States, and a portion of Canada. The Abnaki included the Penobscot, the Passamaquoddy, and the Amalictic tribes. They assisted the French in their wars with the English and were expatriated by the latter. The name is interpreted as meaning "the whitening sky at daybreak"—i. e., Eastern people.

Abolition. (See Slavery.)

Abolitionists.—A term applied during and preceding the Civil War to the members of the New England Anti-Slavery Society and those who held with them that "immediate unconditional emancipation without expatriation was the right of every slave and could not be withheld by his master an hour without sin." Jan. 1, 1831, William Lloyd Garrison commenced the publication in Boston of a paper called *The Liberator*, which advocated the immediate liberation of slaves, regardless of all laws or constitutional provisions to the contrary. At the beginning of the following year he organized the above named society, with the foregoing as its chief doctrine. Near the close of 1833 a similar society was formed in Philadelphia. From this time the question assumed national importance. In consequence of his uncompromising utterances Garrison was indicted by grand juries in several Southern States and rewards were offered for his conviction. The *New York Weekly Emancipator* was another organ of the Abolitionists. Some strong pamphlets on the subject were: *Justice and Expediency*; or, *Slavery Considered with a View to its Rightful and Effectual Remedy*—Abolition, by John G. Whittier, Haverhill, Mass.; *Appeal in Behalf of that Class of Americans Called Africans*, by Lydia Maria Child; and *The Sin of Slavery and Its Remedy*, by Eliza Wright, a professor in the Western Reserve College. Abolition sentiments were not confined solely to the Northern States.

Aborigines.—A word used to designate the earliest inhabitants of a country. In America the term is applied generally to the Indians found by the early settlers.

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Abyssinia, an empire in Africa, bounded on the north by Eritrea, on the east by Danakil country and Somaliland, on the south and west by British East Africa, and on the northwest by the Sudan. It is the direct descendant of the ancient Ethiopia, possesses an ancient and interesting national Christian church which owes allegiance to the Coptic Patriarch of Alexandria, and has a code of laws based upon that of Justinian. The political institutions are feudal in character, bearing a marked likeness to those of mediæval Europe. The chief exports are coffee, gum, wax, gold, ivory and civet. The area is

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Accessory.—In law one who is guilty of a felony, not by committing the offense in person or as a principal, nor by being present at its commission, but by being in some other way concerned therein, as by advising or inciting another to commit the crime or by concealing the offender or in any way helping him to escape punishment. An accessory *before the fact* is one who counsels or incites another to commit a felony and who is not present when the act is done; *after the fact*, one who receives and conceals or in any way assists the offender, knowing him to have committed a felony. The laws of different States vary as to the punishment of accessories.

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Acknowledgment.—A declaration before some authorized person of the authenticity of an act or deed. The word is also applied to the certificate of indorsement attached by this person to the instrument. Judges, clerks of courts, mayors, justices of the peace, commissioners of deeds, and notaries public are authorized to take acknowledgments.

Acre Right.—The share of a citizen of a New England town in the common lands. The value of the acre right was a fixed quantity in each town, but varied in different towns. A 10-acre lot or right in a certain town was equivalent to 113 acres of upland and 12 acres of meadow, and a certain exact proportion was maintained between the acre right and salable lands.

Acts of Congress. (See Bills and Acts.)

Acts, Public.—Public acts are the laws of a State and of the United States. State records are the registered deeds of property, journals of legislatures, etc. Judicial proceedings are the records of courts. Under the Constitution each State must give full faith and credit to the public acts, records, and judicial proceedings of every other State (I, 30). The chief value of this provision is that it prevents endless lawsuits. When a case has been decided in one State, it cannot be opened in the courts of another State.

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Adams, William N., consul to Santiago, Cuba, nomination of, V, 46.

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- Second Assistant Secretary of State, Canadian canal tolls referred to, IX, 243. (See also IX, 240.)

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Adet, P. A., colors of France presented to United States by, on the occasion of the presentation of an address, dated October 21, 1794, by the committee of public safety, I, 189.

Administration.—This term is generally applied to the President and his Cabinet. The President, as chief executive officer of the nation, may direct, without consultation, the acts of any departmental chief, guided solely by the Constitution. He is authorized, however, to consult the heads of Departments. Washington consulted with his Attorney-General and Secretaries of State, War, and the Treasury. When in 1793 the Navy Department was established, Benjamin Stoddert, its chief executive officer, was admitted to the President's council. The Postmasters-General were not called into council until 1829, during William T. Barry's incumbency. Secretaries of the Interior, of Agriculture and of Commerce and Labor were invited to seats at the council table immediately upon the establishment of their Departments.

Admiral.—The title of the officer of highest rank in a navy. The rank of admiral in the United States Navy, as distinguished from vice-admiral and rear-admiral, was established by act of Congress July 25, 1866. There have been only three admirals, the first of whom was David G. Farragut, commissioned in 1866, and the next David D. Porter, commissioned in 1870, after Farragut's death. On the death of Porter, in 1891, the rank became extinct. In 1899 the rank was revived and George Dewey commissioned. (See also Vice-Admiral and Rear-Admiral.)

Admiral, revival of grade of, recommended, X, 120.

Admiral P. Tordenskiold, The, appropriation in behalf of owners of, recommended, VI, 127.

Admission of States.—The Declaration of Independence declares "that these United Colonies are, and of right ought to be, free and independent States" (I, 6). Its adoption on July 4, 1776, created as such the original thirteen States of the Union, viz: Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, New York, North Carolina, and Rhode Island. Shortly before this date several of the Colonies had modified their original charters and established independent local governments. Oct. 10, 1780, the Continental Congress passed a resolution providing that western territory which might be "ceded to the United States by any particular State shall be disposed of for the common benefit of the United States and be settled and formed into distinct republican States, which shall become members of the Federal Union and have the same rights of sovereignty, freedom, and independence as the other States"; and in 1789 the Constitution made its provision for the admission of new States (see I, 30). Most of the States that have been admitted since the formation of the original Union have achieved statehood from a condition of territorial organization prescribed by Congress, although some have not gone through this process. Such territorial organization was first established by Congress in July, 1787, when it passed the ordinance providing a government for the Northwest Territory (q. v.). The method of direct admission is illustrated by Vermont, which was formed out of territory claimed by New York and New Hampshire; Texas, which was annexed; and California, which was admitted soon after the Mexican war, without waiting to be organized as a Territory. The usual steps by which a Territory becomes a State are: (1) A petition to Congress expressing the desire of the people for admission; (2) an enabling act passed by Congress stating the conditions of admission; (3) the adoption of a constitution and a form of State government by a convention of delegates chosen by the people; (4) the ratification of the constitution and the election of State officers by the people; and (5) a proclamation by the President announcing that the Territory has become a State. The first State to be joined to the original Union of thirteen States was Vermont, in 1791, and the last, Utah, in 1896.

Admission of States (see also the several States; Reconstruction; Restoration):

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Admittance, The, seizure of, on coast of California, IV, 606.

Affairs, Foreign:

Expense incurred in, for which no provision was made by law, I, 116.

Report on, transmitted, VIII, 615.

Afghanistan, a country of Asia, lying between 30° and 38° 20' north and 60° 30' and 74° 30' east. The surface is extremely mountainous and there are large desert tracts, but many of the valleys are of great fertility. The chief exports are cotton goods, indigo and other dyeing materials, tea, sugar, furs, shawls, carpets and horses; most of the trade being with

Afghanistan—Continued.

Russia and British India. The population are fanatical Mohammedans and are ruled by a hereditary prince, called the Amir. The Mogul Emperors of Delhi ruled the land for two centuries, but in 1747 it became an independent empire. The British restored Shah Shuja to the throne in 1838, and in 1878 marched into the country and captured the capital, Kabul, setting Yakub Khan upon the throne. This Amir soon afterwards was responsible for the murder of the British minister and his entire staff, which led the British to again interfere, and Abdurrahman was made Amir who held the throne till his death in 1901, when he was succeeded by his son, Habibulla Khan. The area is about 215,400 sq. miles, with a population estimated at 4,000,000.

Afognak Island, Alaska, lands in, set apart as public reservation by proclamation, IX, 360.

Africa.—One of the great divisions of the Eastern Hemisphere. It extends from lat. 37° 20' north to 34° 51' south and from long. 17° 34' west to 51° 28' east. It is bounded on the north by the Mediterranean Sea; on the east by the Isthmus of Suez, the Red Sea, and the Indian Ocean; on the south by the Southern Ocean, and on the west by the Atlantic Ocean. The countries bordering the Mediterranean have long been inhabited by nomadic tribes of Moors and Arabs. In Egypt are found traces of the most ancient civilization. Between the cultivated tract which borders the Mediterranean and the Soudan stretches the great Desert of Sahara, 2,000 miles from east to west and 1,000 miles from north to south. Over a great part of this region rain never falls and it is everywhere rare. The inhabitants of Africa are chiefly of the negro race, with Kafirs, Hottentots, Copts, Arabs, Moors, Berbers, and some Europeans. The western coast was for many years ravaged by European slave traders, who captured the natives and sold them into bondage in foreign lands. (See also African Slave Trade.) In the North and Northeast Mohammedanism is the prevailing religion, there is an interesting national Christian church in Abyssinia and a Coptic church in Egypt, both of ancient origin. Paganism prevails over the greater part of Africa, except where the natives have been brought under the influence of missionaries of various denominations. Liberia and Abyssinia are practically the only really independent countries; the Congo Free State, though nominally independent, is really a dependency of Belgium. The rest of Africa is apportioned among European nations, Great Britain and France being the largest holders. The area of the entire continent is 11,508,793 sq. miles, of which 8,087,555 sq. miles is in the hands of various European powers. The population is estimated at 170,104,871.

Africa:

Agents sent to, to receive slaves taken from vessels, II, 64.

Citizens of United States must not violate rights of inhabitants of, I, 408.

Natives of, in slavery. (See African Slave Trade.)

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Slavery on coast of, VII, 206.

Vessels of United States seized on coast of, III, 640; V, 486.

Africa, The, attempted seizure of Mr. Fauchet by commander of, VI, 143.

African Slave Trade.—Prior to the discovery of America negroes, like other savage races, either enslaved or put to death the captives taken in war. The deportation of the captives to the mines and plantations of the New World increased the value of the African and made slavery rather than death the prisoner's fate. This disposition of captives also led many petty chiefs to wage war for the prospective gain in human chattels. The aborigines of America having proved too weak for the work required of them, the Portuguese, who possessed a large part of the African coast, began the exportation of negroes, in which they were imitated by other nations of the Old World. Sir John Hawkins was the first Englishman to engage in slave traffic. The first importation of negro slaves was authorized in 1517. Extreme cruelty and inhuman treatment characterized their transportation. They were landed at Haiti and Santo Domingo and placed in the mines. In 1619 a Dutch vessel brought a cargo of slaves into the James River. Twenty negroes were sold to Virginia settlers. In 1713, by the treaty of Utrecht, Great Britain obtained the contract for supplying slaves to the Spanish West Indies. This stimulated the slave trade generally. Several of the Colonies attempted to prohibit the importation of slaves, but Great Britain forced the trade upon them. Virginia passed several acts forbidding the traffic, but they were vetoed by the British Government, as were also those passed by Pennsylvania in 1712, 1714, and 1717 and by Massachusetts in 1774. It was prohibited by Rhode Island and Connecticut in 1774 and by all the Colonies under the non-importation covenant of Oct. 24, 1774, and was forbidden by nearly all the States during the Revolution. The slave-trade question was an important one in the formation of the Constitution. The Southern States, except Virginia and Maryland, insisted that no restriction should be imposed upon the traffic. A compromise was finally effected allowing Congress to prohibit it after 1808. The act of Mar. 22, 1794, prohibited the carrying of slaves from one foreign country to another by American citizens; that of May 10, 1800, allowed United States war ships to seize vessels engaged in such traffic; that of Feb. 28, 1803, prohibited the introduction of slaves into States which had forbidden slavery. In 1808 the importation of slaves into the United States was forbidden. The acts of Apr. 20, 1818, and Mar. 3, 1819, authorized the President to send cruisers to the coast of Africa to stop the slave trade. As no restrictions were ever placed upon domestic slave trading before its abolition in 1865, the surreptitious trade in imported slaves was not entirely given up until that time.

African Slave Trade (see also Slavery):

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- Stranded on coast of Florida, and removal of, discussed, II, 401.
- Ceased in United States, VI, 581.
- Correspondence regarding—
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 - Lincoln, VI, 53.
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- Agassiz, J. L. E.**, visit of, to Brazil referred to, VI, 466.
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Agricultural Census recommended, IX, 550.**Agricultural Colleges and Experiment Stations.**

—Large tracts of land in the Northwest Territory were granted to the States formed therefrom, to be sold by the legislatures or by the Federal Government for educational purposes. As early as 1785 Congress, foreshadowing the permanent policy of the nation in encouraging education, enacted that one thirty-sixth of all the public lands should be set apart for and dedicated to the cause of education, and by the act of July 23, 1787, this reservation was made perpetual. The further to encourage and dignify the science of husbandry, Congress, by the Morrill Act of July 2, 1862, provided "that there be granted to the several States * * * an amount of public land, to be apportioned to each State a quantity equal to 30,000 acres for each Senator and Representative in Congress to which the States are respectively entitled by the apportionment under the census of 1860," but excepting mineral lands, to found colleges of agriculture and the mechanical arts. This act was amended by an act of March 3, 1883, which provided that all money derived by the States from the sale of land apportioned by the general Government must be invested in stocks of the United States or in the several States, or in some safe manner to be prescribed by the legislature of the several States in such a manner as to yield not less than five per cent., the principal to remain forever inviolate and undiminished. By an act approved August 30, 1890, Congress provided for an annual appropriation of \$15,000 for the year ending June 30, 1890, and an annual increase of this amount for ten years by an additional sum of \$1,000 over the preceding year, the annual amount to be paid thereafter to each State or Territory to be \$25,000. This appropriation must, however, be applied only to instruction in agriculture, the mechanical arts, the English language, and the various branches of mathematical, physical, natural and economic science with special reference to their application to the industries of life. A law approved March 2, 1887, provided for the establishment—under the direction of the agricultural colleges, or agricultural departments of colleges, established in each State or Territory in accordance with the law of July 2, 1862, mentioned above—of departments to be known as Agricultural Experiment Stations. It was provided that the duties of these stations should consist in conducting original research as to the physiology of plants and animals; the diseases to which they are subject and their remedies; the chemical composition of useful plants; the comparative advantages of rotative cropping as pursued under varying series of crops; the analysis of soils and water; the chemical composition of natural and artificial fertilizers; the scientific and economic questions involved in the production of butter and cheese; and such other matters bearing directly upon the agricultural industries of the United States as might be deemed advisable by the directors of the several stations. For carrying on this work the act provided \$15,000 a year to each State and Territory out of funds proceeding from the sale of public lands. The total number of agricultural colleges receiving benefits of

Agricultural Colleges and Experiment Stations—Continued.

the act of Congress of July 2, 1862, and August 30, 1890, is 65, and they are located in all the States and in all the territories except Alaska, Hawaii and Puerto Rico. The total number of experiment stations is 56 and they are situated in all the States and Territories including Alaska, Puerto Rico and Hawaii. In twenty-one States the agricultural colleges are departments of the State universities. In fifteen States and Territories separate institutions having courses in agriculture are maintained for the colored race. All of the agricultural colleges for white persons, and several of those for negroes, have a four-years course in agriculture and its related sciences leading to bachelor's degrees, and many provide for graduate study. About forty-five of these institutions also provide special short and correspondence courses in the different branches of agriculture, including agronomy, horticulture, animal husbandry, poultry-culture, cheese-making, dairying, sugar-making, rural engineering, farm mechanics, and other technical subjects. The total number of persons engaged in the work of education and research in these colleges and experiment stations in 1904 was 4,666; the number of students in the colleges, 56,226; the number of students in the four-years college course in agriculture, 4,640; in short and special courses, 5,281. With a few exceptions each of these colleges offer free tuition to residents of the State in which they are located. (See also Agriculture, Department of.)

Agricultural Experiment Stations discussed VIII, 799; IX, 456, 548; X, 122.

Agricultural Products:

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Agriculture, Department of.—This Department of the Executive Branch of the Government had its origin in the recommendation of Washington. As early as Dec. 7, 1796, in his eighth annual address (I, 202), he said that "with reference either to individual or national welfare agriculture is of primary importance," and at the same time urged the importance of the "establishment of boards * * * charged with collecting and diffusing information, and enabled by premiums and small pecuniary aids to encourage and assist a spirit of discovery and improvement." The sentiments expressed by Washington were reiterated and enlarged upon by all or nearly all of his successors (VI, 578; VII, 505, 578; VIII, 362, 527). From the very beginning of the Government its foreign representatives had sent home seeds and cuttings of agricultural products to be tried in the United States, and in 1839 Congress made an appropriation of \$1,000 for the distribution of material thus collected and for the publication of agricultural statistics. This work was entrusted to the Patent Office, which belonged to the Department of State until 1849 when the Department of the Interior was established and the Patent Office became a part of it. Up to 1849 the agricultural work was carried on by the Commissioner of Patents, Henry L. Ellsworth, but from that time until 1861, a special official, under the direction of the Com-

Agriculture, Department of.—Continued.

missioner, was employed for the work. On May 15, 1862, an act of Congress was approved which created the Department of Agriculture, the duties of which were to diffuse "useful information on subjects connected with agriculture in the most general and comprehensive sense of the word, and to procure, propagate, and distribute among the people new and valuable seeds and plants." It was provided that the head of this Department should be a Commissioner of Agriculture, to hold office by a tenure similar to that of other civil officers appointed by the President. The Department was made a full Executive Department by an act of Congress approved February 9, 1889, and placed under the supervision and control of a Secretary, who was made a member of the President's Cabinet. To promote the agricultural interests of the country in the most thorough manner an act of Congress approved March 2, 1887, provided for the establishment of agricultural experiment stations (see Agricultural Colleges and Experiment Stations), in connection with the agricultural colleges in the several States and Territories, and placed the Commissioner of Agriculture over these stations, in an advisory and administrative capacity. To represent the Department of Agriculture in its relation with these experiment stations, the Office of Experiment Stations was established in the same year. There are now (1906) 56 of these experiment stations in the United States, each State and Territory having one or more; besides those in Alaska, Puerto Rico and Hawaii, which are managed directly by the Office of Experiment Stations. The agricultural colleges established in the several States and Territories in accordance with the land grant act of Congress of July 2, 1862 (see Agricultural Colleges and Experiment Stations), have no organic relation to the Department of Agriculture further than that the agricultural experiment stations are generally departments of the agricultural colleges, and that the president of each of these colleges is obliged to make an annual report to the Secretary of Agriculture. The Weather Bureau (q. v.) one of the most important branches of the Department, was authorized by an act of Congress of February 4, 1870, under the direction of the War Department, but by an act of October 1, 1890, it was transferred to the Department of Agriculture. Some other important bureaus are the Bureau of Animal Industry (established in 1884), which, besides its investigations to improve the condition of the animal industries of the country, has wide powers of inspection and supervision as to the health of live-stock; the Bureau of Forestry (1881), which has charge of the administration of the national forest reserves; the Bureau of Entomology (1863), which obtains and disseminates information regarding injurious insects and their relation to plant and animal life; the Bureau of Chemistry (1862), whose work includes the investigation of food products imported into the United States, analysis of adulterated products, and experiments to determine the effect of adulterants upon the human system; and the Bureau of Statistics, organized as the

Division of Statistics in 1863 and made a Bureau in 1903. The last-named Bureau is the oldest distinctively statistical agency of the Government, its work being the gathering of material of interest to the agriculturist, from all parts of the world. The following persons have held the office of Commissioner of Agriculture in the order named: Isaac Newton, Pennsylvania; Horace Capron, Illinois; Frederick Watts, Pennsylvania; William G. Le Duc, Minnesota; George B. Loring, Massachusetts; and Norman J. Colman, Missouri. Those who have held the Office of Secretary of Agriculture are: Norman J. Colman, Missouri; Jeremiah M. Rusk, Wisconsin; J. Sterling Morton, Nebraska, and James Wilson, Iowa.

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Alabama.—One of the United States; nickname, the "Land of Flowers." The name is Indian and means "Here we rest" and has been adopted as the motto of the State. Alabama is bounded on the north by Tennessee, on the east by Georgia, and on the west by Mississippi. A small portion of the southern boundary extends to the Gulf of Mexico, the remainder being separated from the Gulf by the western projection of Florida. It lies between lat. 30° 13' and 35° north and between long. 84° 53' and 88° 35' west. It is about 330 miles in length from north to south and its greatest width is 200 miles. It contains 52,250 sq. miles of area, or about 33,000,000 acres. The staple production of Alabama is cotton, though corn, oats, wheat, and all kinds of vegetables are produced in abundance, besides butter, cheese, and lumber. Alabama is particularly rich in mineral deposits. A vein of bituminous coal runs eastward from Tuscaloosa into Georgia. The statuary granite of Alabama is among the best in the United States. The chief industries of the State are farming and the manufacture of iron and cotton fabrics. The capital is Montgomery and the commercial metropolis is Mobile. Birmingham is one of the most important manufacturing cities. The State was admitted into the Union Dec. 14, 1819, seceded Jan. 11, 1861, and was readmitted by act of Congress June 25, 1868 (VI, 323, 659). The population (1905) was 2,030,000, of which 45 per cent. are negroes.

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Alabama Claims.—During the Civil War in the United States the Queen of England issued a proclamation of neutrality, May 13, 1861, granting belligerent rights to both combatants and forbidding her subjects to take part with either. Great Britain's laws prohibited the equipment of any land or naval forces within her dominions to act against any friendly power. Notwithstanding this prohibition, the *Alabama*, *Florida*, *Georgia*, *Shenandoah*, and other vessels were built in Great Britain for the Confederate States, and, regardless of the remonstrances of the American minister, were allowed to escape from British ports fitted out as commerce destroyers. In less than 2 months the *Alabama* had taken 27 prizes. After a long cruise among islands of the East and West Indies and along the coast of Brazil the *Alabama* came to anchor at Cherbourg, France. Off this harbor she was sunk by the U. S. S. *Kearsarge*, after having destroyed 58 vessels and about \$6,550,000 worth of property. After the war the United States pressed a claim for damages against Great Britain. After much discussion it was agreed to submit the matter to a court of arbitration composed of Charles Francis Adams, appointed by the President of the United States; Sir Alexander Cockburn, by the Queen of England; Count Federico Sclopis, by the King of Italy; M. Jacques Staempfli, by the President of Switzerland, and Viscount d'Itajuba, by the Emperor of Brazil. The commissioners met at Geneva, Switzerland, Dec. 15, 1871, Count Sclopis presiding. The United States were awarded \$15,500,000 in gold in satisfaction for all claims. All claims to indirect damages were rejected, and Great Britain was held culpable for not doing more to prevent the sailing and success of the cruisers. The award was paid.

Alabama Claims:

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Alabama Indians encouraged to reduce themselves to fixed habitation, I, 458.

Alabama, The, destruction of, by the *Kearsarge* referred to, VI, 256. (See also *Alabama Claims*.)

Alaska.—A territorial possession of the United States lying in the extreme northwestern part of North America, about 600,000 square miles in area. It was discovered by an expedition sent out from Russia under Behring, in 1741; and from 1799 to 1863 it was held by the Russo-American Fur Company under a grant from the Russian emperor. As early as 1850 official communications passed between the United States and Russia concerning the purchase of Alaska, or, as it was then called, Russian America. Russia was desirous of parting with the territory, and the fishing and trading interests favored the change of sovereignty. It was not until 1867, however, that definite steps were taken toward the transfer. In March of that year the Russian minister at Washington reopened negotiations, and on the 23d of that month Secretary Seward made an offer of \$7,200,000 for the peninsula. A week later the minister communicated the Czar's acceptance, and at 4 o'clock on the morning of the 30th the treaty was signed, and later ratified by the Senate, and on Oct. 18 following the formal transfer was made at Sitka, Gen. Rousseau taking possession for the United States. Ever since the acquisition of the territory by the United States there had been trouble between that country and Great Britain on account of the endeavor of the United States to protect its Alaskan seal-fisheries against Canadian vessels. In 1893, however, an agreement was made with Great Britain covering this point. (See *Paris Tribunal of Arbitration* and also *Bering Sea Fisheries*.) There had also been a disagreement between Great Britain and the United States over the boundary line between Canada and Alaska, owing to a difference in the interpretation of a treaty made between Russia and Great Britain in 1825, defining this boundary; and on the discovery of gold in Alaska, in 1895-96, this matter reached a serious stage. The main point of difference was whether the boundary line should be thirty marine leagues (mentioned in the Russia—Great Britain treaty of 1825) east from the western boundary of the islands off the Alaskan coast, or that distance east of the mainland coast. In 1899 a provisional boundary was agreed upon, and on January 24, 1903 a treaty was signed between Great Britain and the United States providing for a tribunal of three British and three American commissioners to settle the dispute. The treaty was ratified by the United States Senate on February 11,

Alaska—Continued.

1903, and on March 3 ratifications were exchanged between the two governments. The commission sat in London and on October 17, 1903, made a decision mainly in favor of the United States, granting Canada access to the Pacific only near the southern end of the boundary and giving her Wales and Pease islands, in Portland Canal. In June 1904, a survey of the boundary thus determined was begun by engineers of the United States and Canada. Alaska is under the direct control of Congress, and not having the regular territorial organization, it has no delegate in that body. In 1884, Congress provided a civil and judicial government. There is a Governor, Surveyor-General and Collector. The territory is valuable for its extensive seal and salmon fisheries. Recent discoveries of rich and extensive gold deposits in the Klondike region of the Yukon River have added greatly to the wealth and population of the territory and to its importance to the United States. Its commerce for the fiscal year ending June 30, 1903, was more than \$21,000,000, and its production of gold for that year, \$8,614,700. There are large deposits of coal and iron, and the country's agricultural prospects are deemed good. Several railroads are in process of construction. The population in 1900 was 63,592.

Alaska:

Attempted occupation of portion of, by Great Britain and Canada, IX, 665.

Attempts of Great Britain and Canada to establish post routes in, IX, 665.

Boundary line with British possessions—

Commission to determine, recommended, VII, 187.

Discussed, VII, 187; VIII, 332, 400, 500, 781, 815; IX, 526, 631; X, 145, 204, 644-646, 678.

Report regarding, referred to, VIII, 400.

Cession of, to United States—

Discussed, VI, 580, 688.

Referred to, VI, 600.

Treaty regarding, referred to, VI, 521, 524.

Appropriation for payment under, recommended, VI, 521, 580.

Chinamen in, cruel treatment of, VIII, 498.

Collection district established at Sitka, VI, 667.

Condition of, X, 543, 544, 644, 651, 826, 827; XI, 1178.

Delegate to Congress from, X, 828; XI, 1177.

Education in, appropriation for, recommended, VIII, 80; IX, 48; X, 228.

Encroachments of Hudsons Bay Company upon trade of, VI, 700.

Government for—

Act providing for, VIII, 292.

Discussed by President Benj. Harrison, IX, 325.

Municipal governments recommended by President Benj. Harrison, IX, 48, 206.

Recommended by President—

Arthur, VIII, 64, 144, 184.

Hayes, VII, 570, 621.

Importation of breech-loading rifles and fixed ammunition into, forbidden, VII, 328.

Instructions regarding, modified, VIII, 124.

Lands in—

Proclamation modifying order reserving, IX, 696.

Set apart as public reservation by proclamation, IX, 360.

Legislation, recommended, VI, 524; X, 44, 175.

Light-house on coast of, point to be selected for, VI, 704.

Military arrests in, VII, 358, 359, 360.

Military Department of, VI, 632; X, 44.

Mineral wealth in, discussed, IX, 631.

Port of entry in, establishment of, recommended, IX, 49.

Privileges of hunting, trading, and fishing in, referred to, VI, 631, 632.

Property rights of natives, X, 828, 829.

Public Lands of, X, 513, 651.

Referred to, VI, 620, 631; X, 44, 127, 228.

Report of governor of, VIII, 390.

Report of Lieut. Emmons, X, 849.

Seal fisheries within limits of. (See Bering Sea.)

Seal islands in, sale of, recommended, VII, 40.

Alaska Salmon Commission, mentioned, X, 712.

Albany, The, cruise of, referred to, V, 305.

Albany Convention.—One of the important predecessors of the Continental Congress and among the first definite steps taken toward national union. Upon a call issued by the Lords of Trade, commissioners from the Colonies of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, and Maryland met at Albany, N. Y., on June 19, 1754, to arrange a treaty with the Six Nations of Indians. Benjamin Franklin proposed and the convention adopted a plan for colonial union. It provided for a president-general of all the Colonies, with veto power, and a grand council to be composed of from 2 to 7 delegates from each Colony, chosen by assembly for a term of 3 years each. This grand council was to be authorized to equip forces for the common defense of the Colonies and to levy taxes for their maintenance and have control of all Indian affairs. The plan was rejected by the Crown because it gave too much power to the Colonies.

Albany Regency.—A combination of politicians of the Democratic party. Prominent among these were Martin Van Buren, William L. Marcy, John A. Dix, and Silas Wright. This combination was, it was charged, organized to manage and control that party in New York State from about 1820 to 1855. Their organization was quite thorough and complete, and its success was mainly due to this fact. A majority of those in the combination resided in Albany or operated from that city. The name arose from this circumstance.

Albemarle, The.—A Confederate ironclad ram built on the Roanoke River, below Weldon, N. C., in 1863. She was destroyed with a torpedo by Lieut. W. B. Cushing on the night of Oct. 27, 1864 (VI, 256). Before her destruction she did much damage to vessels of the United States. In 1867 she was raised, towed to Norfolk, and sold.

Albemarle, The:

Destruction of, VI, 256.

Referred to, X, 81.

Engagement of, with the *Sassacus* referred to, VI, 210.

Albion, The, seizure of, referred to, V, 100.

Alburg, Vt., proclamation granting privileges of other ports to, V, 326.

Alden, James, thanks of Congress to, recommended, VI, 76.

Alert, The, convention between Nicaragua and Costa Rica signed on, X, 100. (See also Greely, A. W.)

Aleutian Islands.—A chain of about 150 islands extending from the western extremity of Alaska to near the continent of Asia. The area is about 6,000 square miles. The inhabitants, a half-civilized and declining race, about two thousand in number, are variously regarded as of Asiatic or American origin. Their trade is chiefly in fish and furs. The islands belong principally to the United States by reason of the acquisition of Alaska. They were discovered by the Russians about the middle of the eighteenth century.

Alexander, General E. P., settlement of question between Costa Rica and Nicaragua by, X, 202.

Alexander, James, crimes charged against, I, 417.

Alexander Archipelago Forest Reserve, proclaimed, X, 513.

Alexandria, Va.:

Act incorporating church in, vetoed, I, 489.

Blockade of port of, removed by proclamation, VI, 170.

British retreat from, I, 547.

Property in, destroyed by British forces, I, 545, 547.

Alexandria County, D. C.:

Court-house in, unsafe and new one recommended, III, 404.

Jail erected in, II, 364.

Retrocession of, to Virginia by proclamation, IV, 470.

Alfonso XII, The, mentioned, X, 53.

Alford, Benedict, act for relief of, discussed, III, 134.

Alger, E. A., thanks of President tendered Gen. Shafter through, X, 349.

Algeria.—A country on the north coast of Africa, about 154,000 miles in area and containing a population of about 4,774,042. The chief native people are Berbers and Arabs. Its capital and principal city is Algiers. It comprises the ancient country of Numidia and a portion of Mauritania. For many centuries it was a nest of corsairs, who haunted the coasts of the Mediterranean Sea and the Atlantic Ocean as far as the North Sea, preying upon the commerce of all nations which refused to pay them tribute. To pay this tribute was deemed wiser by many European powers than to wage war against them. Following the examples of other nations, the United States signed a treaty in 1795 agreeing to pay the Dey \$1,000,000 for the ransom of American captives and promising an annual tribute (I, 123, 182). Algeria made war against the United States in 1815. Commodore Decatur, with 10 vessels, sailed against the Dey and met with such success that he was enabled to exact indemnity from the Dey himself, and also a treaty renouncing all claim to tribute, presents, or ransom, and a promise not to reduce prisoners of war to slavery (I, 562). France has since reduced Algeria to the dominion of her Government, organizing it as a colonial possession in 1834, of which it is now the most important. The chief resource of the country is agriculture. Since 1870 there have been a number of extended revolts; and in recent years the country has suffered from serious anti-Jewish agitations.

Algeria:

Consuls of United States in, I, 177, 392, 521.

Banished, I, 518.

Change in pay of, III, 99.

Powers of, should be increased, I, 248.

Salary of, should be increased, I, 248.

Unjustifiable proceedings toward, by Dey of, I, 453.

Declaration of war against, recommended, I, 554.

Hostile attitude of, toward United States, I, 440, 554, 575.

Imprisonment of American citizens in, I, 88, 98, 123, 148, 177, 200, 205, 207, 554.

Reference to, I, 152, 153, 210.

Treaty of peace with, I, 569; II, 110.

Treaty with, transmitted and discussed, I, 123, 182, 186, 192, 205, 569; II, 110.

Annulled by Algeria, with alternative of war or renewal of former treaty, I, 575.

Tribute to be paid by United States to, I, 123, 182.

Payment of, I, 337.

Vessels sold to, I, 247.

War with United States. (See Algerine war.)

Algerine War (see also Algeria):

Declaration of war by Congress recommended, I, 554.

Dey of Algiers commences war against United States, I, 440.

Information of amicable settlement, I, 440.

Termination of, I, 562.

Threatened by Algiers, I, 575.

Treaty of peace concluded, I, 569; II, 110.

Algonquin Indians.—A tribe of the Algonquian stock of Indians. At the time of the advent of white settlers into America the Algonquian linguistic division occupied by far the largest area of any of the Indian nations. The name means "those on the other side of the river"—that is, the river St. Lawrence. They were spread over the territory from Labrador to the Rocky Mountains and from Hudsons Bay to Pamlico Sound. Though this territory was not exclusively peopled by Algonquian Indians, some of their tribes had wandered to the west and south through hostile nations and established their family beyond the limits of the present stock. The Cheyennes and Arapahoes had strayed westward to the Black Hills and finally into Colorado, and the Shawnees had penetrated into South Carolina and Tennessee. There were hundreds of divisions of these Indians into tribes and confederacies, the principal of which were the Abnaki, Illinois, Pennacook, Powhatan, and Siksika confederacies and the Cheyenne, Arapaho, Sac, Fox, Conoy, Cree, Delaware, Kickapoo, Mahican, Massachusetts, Menominee, Miami, Micmac, Misisaga, Mohegan, Montagnais, Montauk, Munsee, Nanticoke, Narraganset, Nauset, Nipmuc, Ojibwa, Ottawa, Pamlico, Pequot, Piankishaw, Pottawotomi, Shawano, Wampanoag, Wappinger, and Algonquin tribes. The latter tribe, from which the stock takes its name, occupied the basin of the St. Lawrence and its northern tributaries in Canada. They allied themselves with the French in the early wars. About 5,000 of this tribe are now located in the Provinces of Quebec and Ontario. The Algonquian stock numbers about 95,000 at this time, of whom some 60,000 are in Canada and the remainder in the United States.

Alien and Sedition Laws.—Two important acts of Congress passed by the Federalists in 1798. Their importance consists not so much in their essential character and the fact that they largely caused the downfall of the Federalist party as in their position in American history as a landmark beyond which it is unsafe for the law-making power to go. During the French Revolution American feeling was high and bitter. Many public speakers and writers openly advocated intervention by the United States in favor of the one side or the other, denounced the neutral attitude of the Government as cowardly and ungrateful, and heaped invectives upon the Administration. The fact that many of the newspapers in which the Government was so bitterly assailed were in the hands of foreigners had much to do with the passage of the alien act. This law authorized the President to order out of this country all such aliens as he might judge to be dangerous to the peace and safety of the United States or engaged in plotting against them. The sedition act provided heavy fines and imprisonment for any person who should conspire to oppose the United States Government or laws, or who should print or publish any false, scandalous or malicious writings against the Government, Congress, or the President intended to bring disrepute or hatred upon them or to stir up sedition. These laws were regarded by the Republican party of that day as unconstitutional and were denounced by the Kentucky and Virginia resolutions as subversive of the liberty of speech and the press. They expired in 1800 and 1801 respectively. (See also Kentucky and Virginia Resolutions.)

Alien Contract Law, amendment of, recommended, X, 123, 230.

Alien Laborers discussed IX, 633.

Aliens in United States (See also Naturalized Citizens):

Abduction of foreigners claiming protection of United States should be made a crime, V, 12.

Allegiance of, to Government discussed and orders regarding, VI, 117.

Claims of, court to try, recommended, VII, 237, 289, 343, 406.

Liability of, to perform military duty—Discussed, VI, 180.

Proclaimed, VI, 168.

Number of, mentioned in Executive Departments, report on, transmitted, IX, 670.

Offenses against treaty rights of, should be cognizable in Federal courts, IX, 183.

Allabach, Nancy G., act granting pension to, vetoed, IX, 671.

Allatoona (Ga.), Battle of.—In the hope of drawing Gen. Sherman's army out of Georgia, the Confederates, 36,000 strong, under Gen. Hood, threatened his railroad communications with Nashville. Oct. 5, 1864, a division of Hood's infantry appeared before Allatoona Pass, where were stored about 1,500,000 rations. The post was held by Col. Tourtelotte, who was reinforced by Gen. Corse, thus increasing the Union force to 1,944 men. The attack was made on the 6th. The conflict lasted from 8.30 a. m. until night, when the Confederates withdrew, leaving 231 dead and 411 prisoners. Corse lost 707 men and was himself wounded. Hood crossed the Coosa Oct. 10, and Sher-

man's army followed him to Gaylesville by way of Rome, and then returned to Atlanta.

Allegiance.—According to Blackstone, allegiance is "less the tie which binds the subject to the sovereign in return for that protection which the sovereign affords the subject." Natural or implied allegiance is that obligation which one owes to the nation of which he is a natural-born citizen or subject so long as he remains such, and it does not arise from any express promise. Express allegiance is that obligation which arises from an expressed oath or promise. Local allegiance is that obedience and temporary aid due by an alien to the State or community in which he resides. Local allegiance is temporary and expires with residence.

Allegiance, Oath of, army officers directed to subscribe anew, VI, 18.

Allen, Andrew H., member of Board on Geographic Names, IX, 212.

Allen, Ira, claims of heir of, against Great Britain, III, 49.

Allen, Walter, member of Ponca Indian Commission, VII, 630.

Allentown, Pa., act for erection of public building at, vetoed, VIII, 658.

Alliance, The, firing upon, by Spanish vessel disavowed by Spain, discussed, IX, 636.

Allotment of Lands. (See Lands, Indian.)

Almirante Oquendo, The, mentioned, X, 92.

Almodóvar, Duke of, communication from, regarding Spanish-American peace negotiations, X, 95.

Alta Vela Island, claim of citizens of United States to guano on, VI, 629.

Altamaha River, canal from Tennessee River to, referred to, II, 464.

Alvarez, Manuel, acting governor of New Mexico, V, 75.

Alvord, H. J., treaty with Indians concluded by, VI, 259.

Amazon River:

Explorations of, by officers of Navy, V, 176, 188, 229; VII, 497.

Appropriation for, recommended, VII, 247.

Free navigation of, desired, V, 211.

Attempts to secure, unsuccessful, V, 280.

Opened to commerce, VI, 578.

Ambassador.—This term was long erroneously used in reference to our envoys to foreign countries. The United States did not appoint diplomatic representatives of higher rank than envoy or minister until the year 1893, when by act of Mar. 3 of that year the higher grade was established. Thomas F. Bayard was raised to the rank of ambassador to Great Britain, being the first to hold that rank. Later, ambassadors were duly accredited to France, Italy, Germany, Russia, Mexico, Japan and Austria-Hungary (IX, 442; X, 110). In ancient times ambassadors were appointed on special occasions. Mediæval republics, like Venice, both received and sent ambassadors.

Ambassadors (see also Ministers):

Elevation of missions of—

Great Britain, France, Italy, and Germany to grade of, and like action of United States, IX, 442.

Russia to grade of, and like action of United States, X, 110.

Announced, IX, 442.

Official residences for, recommended, IX, 640, 723.

Ambristie [**Ambrister**] and **Arbuthnot**, courts-martial of, referred to, II, 43.

Amelia Island.—A coast island, N. E. of Florida, between St. Marys and Nassau rivers.

Colonial governments not responsible for unlawful conduct of persons in, II, 32.

Governor Mitchell ordered to restore, to the Spanish, I, 508.

Possession of—
Inquired into, II, 51.

Taken by Gen. Matthews, I, 507.

Unlawful expeditions to, discussed, II, 13, 21, 23, 32, 40, 51.

Amen, Samuel D., mentioned, X, 800.

Amendments.—One of the chief defects of the original Articles of Confederation was that they could only be amended by the unanimous consent of the thirteen States. Three needful changes having failed of ratification, a convention was called in 1787 to consider amendments. The result of the deliberations of this convention is the present Constitution, which provides for amendments in the following words: "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several States, shall call a convention for proposing amendments, which in either case shall be valid, to all intents and purposes, as part of this Constitution when ratified by the legislatures of three fourths of the several States or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided," etc. (Article V: I, 31.) Many amendments to the Constitution have been proposed, but only 15 have been ratified. They relate to (1) freedom of speech, the press, and religion (I, 34); (2) right to establish State militia (I, 34); (3) quartering of troops in private houses (I, 35); (4) security against unreasonable search and seizure (I, 35); (5) capital crime (I, 35); (6) criminal prosecutions (I, 35); (7) trial by jury under common law (I, 35); (8) forbidding excessive bail or fines and cruel and unusual punishment (I, 36); (9) relation of constitutional to natural rights (I, 36); (10) powers reserved to the States (I, 36); (11) suits of nonresidents against States in Federal courts (I, 36); (12) election of President and Vice-President (I, 36); (13) slavery (I, 37); (14 and 15) abridgment of the franchise, etc., by States (I, 37, 38). The first 10 of the amendments were submitted to the several State legislatures by a resolution of Congress which passed on Sept. 25, 1789, at the first session of the First Congress, and were ratified by a sufficient number of States on or before Dec. 15, 1791. The eleventh amendment was declared adopted Jan. 8, 1795; the twelfth Sept. 25, 1804; the thirteenth Dec. 18, 1865; the fourteenth July 28, 1868, and the fifteenth Mar. 30, 1870.

Amendments. (See Constitution.)

America.—The entire Western Continent or grand division of the world, including North, Central, and South America and the adjacent islands. It was named in honor of Amerigo Vespucci, an early explorer, whose accounts of the country received wide publicity. It was visited by Norse navigators as early as about 1000 A.D., and there are myths of Chi-

nese and Irish discoveries, but it was not until after its discovery by Columbus in 1492 that it became generally known to Europeans. In a treatise on the new country published in 1507, called *Cosmographie Introductio*, by Waldseemüller, a teacher of geography in the college of St. Dié in the Vosges, the name of America was proposed. On the north the country includes the unexplored regions of the Arctic Ocean, and extending south all the land between the Atlantic and Pacific. The northern portion of America consists of a central basin divided by a watershed and marked by Hudsons Bay and its feeders on the north and drained by the Mississippi, Missouri, and Ohio rivers and their tributaries flowing into the Gulf of Mexico on the south. This great basin is separated from the ocean on each side by ranges of mountains in the general form of the letter V, having the Rocky Mountains for one arm and the Appalachian system for the other, the latter being shortened by the depression of the St. Lawrence River, which runs transversely to the general course of other rivers of the great basin. In South America the Andes—a continuation of the Rocky Mountain system—skirts the Pacific coast, and the general course of the rivers is to the southeast, except those north of the valley of the Amazon, which run north to the Caribbean Sea, an arm of the Gulf of Mexico. All America, from the frigid zone of the north through the torrid Tropics to the icy extreme of the south, is rich in either mineral or vegetable products or the flesh and furs of native animals. The original inhabitants of the country, called Indians (q. v.), have now almost entirely disappeared in most regions before the advance of the Caucasian race. The several political divisions of America are treated under separate headings.

America, Four Hundredth Anniversary of Discovery of:

Celebration of. (See Madrid, Spain; World's Columbian Exposition.)

Observance of, enjoined by proclamation, IX, 289.

America, Russian. (See Alaska.)

American National Red Cross:

Aid furnished Cubans by, discussed, X, 59, 83. Work accomplished by, in Spanish-American War, discussed, X, 95.

American Nations, Congress of. (See Panama, Isthmus of.)

American Protective Association.—While disclaiming to be a political party, this association, popularly known as the A. P. A., has influenced results in many localities. Its principles, as set forth in a platform adopted at Des Moines, Iowa, in 1894, are (1) protection of our nonsectarian free public-school system; (2) no public funds or property to be used for sectarian purposes; (3) preserving and maintaining the Constitution and Government of the United States; (4) restriction of immigration, and (5) extension of time required for naturalization. The association was organized in 1887, and soon had well-attended councils in nearly every State of the Union.

American Republics, Bureau of the International Union of.—A bureau established upon the recommendation of the Pan-American Conference of October, 1889, for the

American Republics, Bureau of the International Union of—Continued.

prompt collection and distribution of information concerning the American Republics. Its first report was transmitted to Congress in 1891 (IX, 212). In 1902 it was reorganized and placed under the control of a governing board composed of the diplomatic representatives of the American republics, at Washington, with the Secretary of State of the United States as chairman. The Bureau publishes a Monthly Bulletin and answers questions concerning the American republics and their commercial conditions. The Bureau also established in 1902 a Latin American Library to be known as The Columbus Memorial Library. The Bureau is supported by the several republics composing it, according to their population. The information supplied by the Bureau is of much commercial value. (See also International American Conference.)

American Republics, Bureau of:

Buildings of, X, 676.

Bulletins of, transmitted, IX, 243, 350.

Discussed, X, 113, 124, 156, 211.

Report of, transmitted, IX, 212, 334, 475, 569, 667, 751; X, 124.

American Seamen. (See Seamen, American.)**American Society of Mechanical Engineers,** memorial of, relating to Ericsson transmitted, IX, 130.

American System.—In his annual message, December, 1848, President Polk discussed what its authors and advocates called the "American system" (IV, 654). He insisted that this so-called system was founded on a departure from the earliest policy of the Government; that it depended on an enlargement of the powers of the Federal Government by construction and was not warranted by a just interpretation of the Constitution. One branch of the new system, it was claimed, was the establishment of a large national bank. The next branch was a high protective tariff, levied not to raise the revenue needed, but for protection merely; the next was a comprehensive scheme of internal improvements, and finally a plan for the distribution of the proceeds of the sales of the public lands among the States. But the term "American system," as most generally understood, is used to denote the policy of protection to home industries by means of high duties on imports. The term was probably first used by Henry Clay in the debates which preceded the enactment of the tariff law of 1824, when he called his plan of protective duties and internal improvements the "American system."

American System discussed by President Polk, IV, 654.**American Wood Preserving Co.,** purchase of machinery from, referred to, VIII, 89.**Americanism,** President Roosevelt defines, X, 823.**Ames, Fisher:**

Commissioner to treat with Indians, nomination of, I, 260.

On committee to conduct inaugural ceremony of President Washington, I, 47.

Amin Bey, visit of, to United States referred to, V, 119.**Amistad Case.**—The case of the United States against the Spanish vessel *Amistad*. A cargo of kidnapped Africans, who had

been landed near Havana, Cuba, by a Portuguese slaver, was shortly afterwards placed aboard the Spanish vessel *Amistad* for shipment to Puerto Principe. On the voyage the negroes took possession of the vessel and ordered the crew to return to Africa; but the sailors brought her into American waters, where, off the coast of Long Island, she was captured by a United States war vessel and carried into New London, Conn., Aug. 29, 1839. On a libel for salvage the Supreme Court of the United States held on appeal that the negroes, having been kidnapped from a foreign country, were free men, and not bound by treaties with Spain.

Amistad, The:

Appropriations for claimants in case of, recommended, IV, 551; V, 209, 446, 511, 561.

Claims arising out of, V, 98, 184.

Negroes taken on board, referred to, III, 639.

Reference to, IV, 275; V, 641.

Release of, demanded by Spanish minister, III, 588.

Salvage due on, referred to, IV, 232.

Ammunition. (See Arms and Ammunition.)

Amnesty.—An act of pardon for political offenses. The effect of it is that the crimes and offenses against the State specified in the act are so obliterated that they can never again be charged against the guilty parties. When amnesty is proclaimed without restriction as to persons or localities it is called absolute. Numerous instances of qualified amnesty are found in ancient and modern history. When Thrasybulus overthrew the oligarchy at Athens he proclaimed an amnesty, excepting 30 tyrants and a few of their followers. President Lincoln's first amnesty proclamation excepted all officers or agents of the Confederate government, all army officers above the rank of colonel, all naval officers above the rank of lieutenant, all persons who left the service of the United States to participate in the insurrection, and all those who had resigned from the military or naval service and afterwards participated in rebellion; also all those who had treated colored persons or those in charge of them otherwise than as prisoners of war (VI, 213). Dec. 25, 1868, President Johnson proclaimed absolute amnesty (VI, 708).

Amnesty (see also Pardons):

Proclamation of President Lincoln, VI, 213.

Discussed, VI, 189, 254.

Persons entitled to benefits of, defined, VI, 218.

Referred to, VI, 310.

Proclamation of President Roosevelt, X, 496.

Proclamations of President Johnson, VI, 310, 547, 655, 708.

Authority for, discussed, VI, 697.

Circular regarding, VI, 341.

Persons worth more than \$20,000 to whom special pardons issued, referred to, VI, 385.

Referred to, VI, 461, 471, 524, 581.

Recommendations of President Grant regarding, VII, 153, 255.

Amphion, H. B. M. S., protects American interests, X, 587.**Amphitrite, The,** mentioned, X, 93.**Amsterdam, Netherlands:**

Accounts of bankers of United States in, rendered, I, 121.

Loan contracted by United States with, I, 128.

- Anadarko, Okla.**, referred to, X, 489.
- Anarchy**, legislation for suppressing, recommended, X, 419, 420.
- Anatolia College**, partial destruction of, by mob in Turkey, and indemnity paid for, discussed, IX, 440.
- Anderson, Edward C.**, lieutenant in Navy, resignation of, referred to, V, 74, 76.
- Anderson, John H.**, appointed to Civil Service, X, 633.
- Anderson, Mary**, act granting pension to, vetoed, VIII, 445.
- Anderson, Richard C.**, minister to Panama, nomination of, II, 320.
- Anderson, Robert:**
 Commander of forts in Charleston Harbor, V, 658.
 Dispatches of, while in command of Fort Sumter referred to, VI, 12, 21.
 Empowered to receive volunteer troops, VI, 18.
 Flag over Fort Sumter at evacuation of, to be raised on ruins of, by, VI, 283.
- Anderson, Sarah C.**, act granting pension to, vetoed, VIII, 712.
- Anderson, Willis**, proclamation offering reward for, II, 377.
- Anderson Case.**—A negro named Anderson was found wandering around the plantation of Seneca Diggs, in Missouri. He had no pass, and was arrested by Mr. Diggs as a fugitive slave. The negro plunged a knife into his captor's heart and made his escape to Canada. Upon demand he was surrendered to the Government of the United States under the extradition treaty. He was tried, but was discharged on a technical point.
- Anderson Case** referred to, V, 668.
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- Aduaga, Don Joaquín de**, letter of, regarding insults offered Spanish officers by Gen. Jackson, II, 140.
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- Annals of Congress.**—A record of the debates and proceedings of Congress from the commencement of the First Congress, Mar. 4, 1789, to the close of the first session of the Eighteenth Congress, May 27, 1824. The Annals also contain many valuable state papers, public documents, laws, and much correspondence. (See Congressional Globe; Congressional Record; Register of Debates.)
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- Annapolis, Md.:**
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- Annexation.**—After the adoption of the Federal Constitution the individual States ceded to the United States all territory west of the lines they established as their western boundaries. In the original charters this territory extended nominally to the Pacific Ocean, but really only to the Mississippi River, for Louisiana and Florida were Spanish possessions. In 1800 Louisiana was retroceded by Spain to France, and was acquired by the United States from the latter Apr. 30, 1803, by payment of \$15,000,000. The territory embraced all of the present State of Louisiana lying west of the Mississippi River, together with New Orleans and the adjacent district east; Arkansas, Missouri, Iowa, a portion of Idaho and Minnesota, all of the Dakotas, most of Kansas, all of Nebraska and Indian Territory, part of Colorado, most of Wyoming, and the whole of Montana, and contained 1,171,931 sq. miles. Feb. 22, 1819, Florida was ceded to the United States by Spain for \$5,000,000. Texas, which had for 9 years existed as an independent Republic, was added to the United States as a State Dec. 29, 1845. As a result of the Mexican War and the payment of \$18,250,000 to Mexico and \$10,000,000 to Texas, territory including what are now California and Utah and portions of New Mexico, Nevada, Arizona, Wyoming, and Colorado was added, and later the southern parts of Arizona and New Mexico were by the Gadsden treaty purchased from Mexico. Alaska was acquired in 1867 by purchase, the price being \$7,200,000, and Hawaii in 1898 by treaty. By the Treaty of Paris, between the United States and Spain at the close of the Spanish-American War, December 10, 1898, the Philippine Islands, Guam, of the Ladrone Islands, Puerto Rico, and the Isle of Pines were ceded to the United States. Tutuila, Tau, Onesinga and Ofu, of the Samoan group, were acquired in 1899 by treaty with Great Britain and Germany. Wake and other small islands in the

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Pacific were taken in 1899. The Panama Canal Zone (see Panama Canal) was acquired in 1903.

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Anti-Federalists.—A political party which opposed the adoption and ratification of the Constitution. Its fundamental principle was opposition to the strengthening of the National Government at the expense of the States. George Clinton, George Mason, and Patrick Henry were its leaders. Their strength was shown in the First and Second Congresses. They opposed Hamilton and his followers and championed a strict construction of the Constitution as against monarchical federalism. They later became merged into the Republican party, under the leadership of Jefferson. There have been many political parties, termed "antis." As their names imply, they have opposed some specific measure, organization, or person. Though acting as political parties, they are not such in the strict sense of the word, for they have no affirmative policy and their claims are negative. Organized with a specific purpose to oppose, they disappear with the issue. Prominent among quasi parties have been the Anti-Lecompton, Anti-Masonic, Anti-Monopoly, Anti-Nebraska, and Anti-Renters.

Anti-Masonic Party.—In 1826 William Morgan and David C. Miller, of Batavia, N. Y., announced that they were about to publish an exposé of Freemasonry. Before the book was produced Morgan was arrested for debt and confined in the jail at Canandaigua, whence he disappeared on the night of Sept. 12, 1826. It was charged, but never shown to be true, that he had been foully dealt with by members of the Masonic order, as all attempts to discover his whereabouts were unavailing. The oft-reiterated charges aroused a bitter opposition to the order, and Thurlow Weed began the publication of the Anti-Masonic

Enquirer at Rochester. In 1827 a convention was held by the Anti-Masons of Genesee County at Le Roy, N. Y., and a political party organized. It was claimed that many of the State officials were Masons and regarded their fraternal obligations as more binding than their civil oaths. The Anti-Masonic feeling grew rapidly. The party cast 33,000 votes in New York State in 1828, 70,000 in 1829, and 128,000 in 1830, though many of the latter were anti-Jackson men regardless of Masonry. In September, 1830, a national convention met at Philadelphia, Francis Granger, of New York, presiding. In 1831 they nominated William Wirt for President, but carried only the State of Vermont. In 1835, through a Democratic split, they elected Joseph Ritner governor of Pennsylvania. After this date the Anti-Masonic party declined as rapidly as it had arisen.

Anti-Monopolists.—A political party organized in 1884 upon a platform demanding economical government, the enactment and enforcement of equitable laws, the establishment of labor bureaus, laws providing for industrial arbitration, a direct vote of the people for United States Senators, a graduated income tax, payment of the national debt as it matures, and "fostering care" for agriculture. The platform denounced a protective tariff and the granting of land to corporations. One of the reforms demanded was the passage of an interstate-commerce law, which was subsequently enacted. In May, 1884, the Anti-Monopolists held a national convention at Chicago and nominated Gen. B. F. Butler for President of the United States. He was later indorsed by the Greenback-Labor party and the combination was known as the People's Party. It polled about 130,000 votes.

Antietam (Md.), Battle of.—After the severe engagement at South Mountain, Lee's army concentrated to the west of Antietam Creek, a small stream flowing into the Potomac River, 8 miles above Harpers Ferry. Here, near the town of Sharpsburg, between the Potomac and the creek, Lee awaited the return of Jackson, who had been sent to capture Harpers Ferry. According to Federal accounts, Lee had not more than 25,000 men until Jackson's two divisions came up. Later he was joined by D. H. Hill's, McLaw's and Anderson's divisions. This raised the strength of Lee's command to over 45,000 combatants. Sept. 16, 1862, McClellan's army, about 70,000 strong, was assembled on the east bank of Antietam Creek. This command was reinforced to 87,164, of which 4,320 were cavalry. About 60,000 of this force bore the brunt of the battle. On the evening of the 16th Hooker's division crossed the creek and began an attack, which darkness ended. Fighting was resumed at daylight on the 17th and continued all day, with varying success and terrific slaughter. Darkness again put an end to the carnage. McClellan did not renew the attack on the 18th, but orders were issued to resume fighting on the 19th. During the night of the 18th, however, the Confederates withdrew to the west of the Potomac and proceeded toward Martinsburg. A few days later McClellan occupied Martinsburg. The total loss of the Union army was 12,469 (2,010 killed); of the Confederates, 25,899. Other estimates of the Confederate loss are 9,000 to 12,000. The official Confederate accounts

Antietam (Md.), Battle of—Continued.

claim that this was a drawn battle, and that the total effective force of Lee was a little more than 35,000. This was called by the Confederates the battle of Sharpsburg.

Antilles.—A term used to designate generally all of the West India Islands except the Bahamas. The Greater Antilles are Cuba, Jamaica, Haiti, and Puerto Rico. The Lesser Antilles consist of two chains, one trending in a southeasterly curve from Puerto Rico to the Gulf of Paria, on the northeast coast of Venezuela, and the other stretching westward north of Venezuela to the Gulf of Maracaibo. The Spanish called the latter chain the Leeward Islands and the former the Windward Islands, but strictly speaking the Leeward Islands are all those north of the fifteenth parallel north latitude, and the Windward are south of that line.

Antwerp, Belgium:

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Apache Indians.—A confederation of the Athapascan stock of North American Indians, consisting of a dozen or more tribes. In 1598 they inhabited northwestern New Mexico, and later spread over the valley of the Gila River. By 1800 their range extended from the Colorado River eastward to central Texas, and later they made incursions into Mexico as far south as Durango. They were the terror of the early Spanish settlers, and since the annexation of their territory to the United States they have given the Government much trouble under the leadership of such famous braves as Cochise, Mangus, Colorado, and Geronimo (III, 514). White settlers opposed the plan of the Government to remove the Apaches to a reservation in New Mexico, and on Apr. 30, 1871, over 100 of the Indians were massacred at Fort Grant, Ariz. The Apaches, numbering some 6,200, are now confined to reservations in Arizona, New Mexico, and Oklahoma.

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Appomattox (Va.), Battle of.—After the battle of Farmville, Apr. 7, 1865, Lee moved off toward the west, closely followed by Meade on the north side of the Appomattox. Sheridan, learning of the arrival of supply trains for Lee's army at Appomattox Station, pushed forward for that place with all the cavalry. Lee's hopeless condition being now apparent, Grant sent him a note inviting surrender. Lee replied, asking for terms, and Grant insisted upon the unconditional surrender of

the Confederate Army of Northern Virginia. On the night of April 8 Custer, who was in Sheridan's advance, reached Appomattox Station, where the Confederate advance had just arrived. He attacked the forces and captured 25 guns and 4 supply trains, a hospital train, and a park of wagons. During the night Sheridan came up, and by daylight was joined by Gen. Ord's command and the Fifth Corps. Lee was now only 20 miles from Lynchburg, his objective point. At first, underestimating the opposing forces, he ordered Gen. Gordon to make a reconnaissance and attack. Sheridan's cavalry withdrew to one side and revealed the lines of Ord's and Griffin's commands in line of battle. Gordon sent forward a white flag. Gen. Lee then dispatched a note to Gen. Grant requesting an interview, which being allowed closed with the signing of articles of surrender of Lee's army and camp followers, about 27,000 men. The officers and men were paroled Apr. 12 and allowed to return to their homes. All public property was turned over, but the officers were allowed to keep their side arms and both officers and men to retain their private horses and baggage.

Apportionment.—The distribution of representation in the Federal House of Representatives and in the general assemblies of the various States. In the Continental Congress each State had but one vote. Long contention over the matter of representation finally led to the establishment of two Houses of Congress—the Senate, wherein all States should have equal representation regardless of area or population, and the House, in which each State should have representation in proportion to its population. President Washington vetoed a bill on this subject (I, 124). A census was taken and 1 Representative was allowed for every 30,000 inhabitants. This rule governed apportionments for 70 years, though the ratio was changed from time to time as the population increased. In order to keep the number of members of the House a fixed quantity, the Thirty-first Congress decided to divide the representative population by 233 after each census, and by the quotient thus obtained divide the representative population of each State. This gave the number of Representatives to which each State was entitled, and when the total number fell short of 233, Representatives were allowed the States having the largest fractions after division. According to the apportionment act of January 16, 1901, it was provided that after March 3, 1903, the House should be composed of 386 members, to be chosen in districts composed of contiguous and compact territory and containing nearly as practicable an equal number of inhabitants, each district electing one Representative. It was also provided that in case of an increase allowed any State, such additional ones shall be elected by the State at large until the State shall be redistricted; and that whenever a new State is admitted to the Union the Representative or Representatives assigned to it shall be in addition to the number 386. According to the census of 1900 the ratio of apportionment was 199,102; and as this gave only 384 Representatives, Nebraska and Virginia were each allowed one additional, making a total of 386 Representatives. (See also Gerrymander.)

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Arango, Richard, mentioned, X, 687.

Arapaho Indians.—A tribe of the Algonquian stock of Indians living on the head waters of the Platt and Arkansas rivers, but also ranging from the Yellowstone to the Rio Grande. The name is said to signify "tattooed people." They are at present divided between two reservations, one (the Arapaho) in Indian Territory and the other (the Shoshone) in Wyoming.

Arapaho Indians:

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Arctic Explorations.—Arctic explorations to the north of the American continent begin with Frobisher (1576), Davis (1585–88), and Baffin (1616) who discovered the straits and bay which bear their names. In 1612 Henry Hudson entered Hudson Bay and wintered there, but was abandoned by his men the next spring and perished. For two hundred years nothing more was done in this direction, although the explorations of Hearne (1770) and Mackenzie (1789) had located the mouths of the Coppermine and Mackenzie rivers and traced a part of the coast,

while Vitus Bering (1641) and other Russian captains explored the shores of Alaska. The reports of Scoresby, a Scotch whaler in the summer of 1817, excited new interest in the problem of a northwest passage, and in 1818 the British Government sent out an expedition under John Ross. Ross penetrated Lancaster Sound for some fifty miles, but, believing it was closed by mountains, returned to England. His second in command, W. E. Parry, sent out the next year, sailed over the supposed mountains and reached Melville Island, in longitude 114° , where he wintered, but was unable to go further. Parry afterwards made two unsuccessful attempts by a more southerly route; in 1827, however, in an expedition towards the pole through the Spitzbergen Sea, he reached $82^{\circ} 45'$, which remained for some years the highest latitude attained. An expedition in 1829–33 under John Ross and James C. Ross made extensive explorations in the region of the North Magnetic Pole. Land expeditions by Sir John Franklin (1820–21), Franklin and Richardson (1825–26), Back (1833–34), Dease and Simpson (1838–39), and Rae (1846–47) practically determined the northern coastline of the continent. In 1845 Franklin sailed on another expedition from which he never returned. In the course of the expeditions to rescue his party or learn their fate the islands and channels north of the continent were pretty thoroughly explored and mapped. From the west, McClure (1850) reached Parry Sound, discovered by Parry; his crew, joining by sledge the eastern squadron under Sir Edward Belcher, was the only party to accomplish the northwest passage. Collinson, sailing at the same time, coasted the northern shore of the continent, reaching, without knowing it, the scene of Franklin's death on King William Land. From the east between 1849 and 1855, eight expeditions, fitted out by the British Government, by private parties, and by Lady Franklin, searched in vain for Franklin and his men. The work of American explorers begins at this time in the Grinnell expedition under De Haven and Kane, in 1850. Information obtained by Dr. Rae, in a land journey in 1854, had already made evident the loss of Franklin and his men; but Lady Franklin determined to make one last effort, sent out, in 1859, the *Little Fox*, under the command of McClintock, who obtained a record (the only one found) stating the abandonment of the ships and Franklin's death. But little has been done in this field since 1855, although in 1898–99, Sverdrup (Norwegian) visited Jones Sound, traced the west coast of Grinnell Land, and discovered several islands. Two American expeditions, those of Kane in 1853, and Hayes in 1860, undertaken with the object of exploring Smith Sound, discovered Kane Sea and Kennedy Channel, and reached $80^{\circ} 35'$ and $81^{\circ} 35'$ respectively. In 1870, C. F. Hall, an American who had already spent several years among the Hudson Bay Eskimo, searching for traces of the Franklin expedition, reached $82^{\circ} 11'$ in the sea north of Kennedy Channel; a record which was surpassed five years later by the British expedition under Nares with $83^{\circ} 20'$. In 1881 an American expedition under A. W. Greely was sent to establish one of the

Arctic Explorations—Continued.

International Circumpolar Stations at Lady Franklin Bay. It secured valuable scientific data, made extensive explorations, and a party under Lieut. Lockwood reached the farthest north up to that time attained, 83° 24'. In the fall of 1883 the party was forced to retreat to Cape Sabine, where they were rescued the next spring, after much suffering and the loss of several lives. In the interior of Greenland, important explorations have been made by Nordenskiöld in 1870 and 1883; Nansen in 1888; and especially by the American expeditions commanded by Lieut. Peary in 1886, 1891-92, and 1893-95. In these expeditions, and in a longer and still more successful visit in 1898-1902 Peary determined the northern limits of Greenland, besides exploring Grinnell Land and reaching 84° 17'. July 17, 1905, he sailed in the new ship *Roosevelt* on another expedition, intending to push his ship as far north as possible through Smith Sound and make a dash for the Bole by sledges. Spitzbergen and the seas north of Asia have been the field of many expeditions. The exploration of Spitzbergen, discovered by Barents (1596), was carried on by Nordenskiöld in 1863, 1864, and 1872; the islands served as a starting point for André's ill-fated balloon (1897), and were visited by Wellman (American) in 1894. Franz Josef Land, discovered by the Austrian expedition under Weyprecht and Payer in 1873, was chosen as a base for the Harmsworth-Jackson expedition of 1893, and the two expeditions sent out by William Ziegler of Brooklyn, under Baldwin (1901), and Fiala (1903) neither of which succeeded in reaching its objective point, the North Pole. The Duke of Abruzzi's expedition from the same quarter in 1902 was more successful, reaching 80° 34' the farthest north ever attained. A French expedition led by the Duke of Orleans was, at the beginning of 1906, somewhere north of Franz Josef Land. In 1893, Frithiof Nansen, a Norwegian, entering the ice north of Asia, allowed himself to be carried by the currents, until, leaving his ship he reached by a sledge journey 86° 14'. The Northeast Passage, long an object of English and Russian exploration, was accomplished by Nordenskiöld in 1878-79. The westernmost of the Asiatic islands were discovered by the American expedition under G. W. DeLong in the *Jeannette*, which, setting out from San Francisco in 1879, was crushed in the ice, DeLong and the larger part of the crew perishing during the retreat. Late in 1905 the Amundsen expedition returned with valuable discoveries concerning the position of the North Magnetic Pole. As noted above, the Arctic expeditions now (1906) in the field, are Peary's in Smith Sound; the Duke of Orleans, near Franz Josef Land; and a Russian expedition under Baron Von Toll in the islands north of Siberia.

Argentine Republic.—A Republic of South America, bounded on the north by Bolivia and Paraguay, on the east by Brazil, Uruguay, and the Atlantic, and on the south and west by Chile. Except in the north and the region of the Andes in the east, the country is an unbroken plain, drained by the Rio de la Plata and its branches. The Constitution with a few minor exceptions is identical with that of this country. The Ex-

ecutive is vested in a President elected for a term of 6 years, the Legislature consists of a Senate and House of Deputies. Each of the 14 provinces has a governor and a legislature possessing extensive power. Agriculture and cattle raising are the principal industries; gold, silver, copper, lead and iron are successfully mined, and large quantities of frozen meat, hides, wool, wheat and corn are exported. The Argentine was discovered in 1516 by Juan Diaz de Solis and the capital, Buenos Ayres, was founded in 1580; it remained a Spanish colony until 1817, when it gained its independence under the leadership of Jose de San Martin. Till 1850 the history of the country comprises a series of internal disturbances and of wars with the neighboring states; since that time, however, the Argentine has enjoyed longer periods of quiet than have fallen to the lot of most South American countries. In 1902 a dispute of considerable bitterness arose with Chile, respecting the armaments and size of their respective navies. It was eventually settled by treaty in January, 1903, by which it was agreed that both navies were to be maintained at identical strength and that certain ships, then being built for both parties in various European yards, were to be sold. The total area of the Republic is 1,135,840 sq. miles and a population (1905) of 5,022,248.

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Arizona Territory.—One of the Southwestern Territories of the United States; motto, "Ditat Deus." It is separated from the Pacific Ocean on the west by California and Nevada, and bounded on the north by Utah and Nevada, on the east by New Mexico, and on the south by the Republic of Mexico. It lies between the parallels $31^{\circ} 20'$ and 37° north lat. and the meridians of 109° and $114^{\circ} 45'$ west long., including an area of 113,020 sq. miles. In 1905 the white population of Arizona was 175,000. In addition to these are the Apache, Moqui, Pueblo, Arivaipa, Chemehuevi, Cohahulla, Cocopa, Walapai, Maricopa, Mohave, Navajo, Papago, Pima, and Paiute Indians. The chief industry is mining gold, silver, and copper. In the northern portion of the Territory there are large pine forests and the lumber trade is rapidly progressing. The surface of the Territory is much broken by the erosion of the streams, which cut deep gorges in the rocks, the Grand Canyon of the Colorado at some points being more than a mile deep. The greater portion of the Territory was acquired by treaty with Mexico in 1848, the remainder by the Gadsden Purchase of 1853. It is one of the organized Territories of the United States and possesses a legislature. (See Territories.)

Arizona Territory:

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Arkansas.—One of the United States; nickname, the "Bear State;" motto, "Regnant Populi" (The people rule). It is bounded by Missouri on the north, on the east by Tennessee and Mississippi (from both of which it is separated by the Mississippi River), on the south by Louisiana, and on the west by Texas and Indian Territory. It extends from lat. 33° to $36^{\circ} 30'$ north and from long. $89^{\circ} 40'$ to $94^{\circ} 42'$ west. It contains 53,850 sq. miles, and in 1905 the population was 1,750,000. By legislative enactment the name of the State is pronounced Ar'kan-saw. The State

contains rich forests of oak, pine, walnut, hickory, cypress, cedar, and other lumber-producing timber. Coal, iron, and building stone exist in abundance. The Mississippi River bottom lands are a fine cotton region. One of the curiosities of the State is the large number of medicinal springs, the most popular of which—the Hot Springs—is visited annually by thousands of people. One spring in Fulton County discharges 15,000 barrels of water per day, at a temperature of 60° . The State was first settled by the French in 1685, and formed part of the Louisiana Purchase of 1803. It was organized as a Territory Mar. 2, 1819, admitted as a State into the Union June 15, 1836, seceded May 6, 1861, and was readmitted June 22, 1868.

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Arkansas Northwestern Railway Co., act authorizing construction of railroad by, through Indian Territory vetoed, IX, 580.

Arkansas Post (Ark.), Battle of.—Jan. 10, 1863, an expedition under command of Gen. McClernand and conveyed by Admiral Porter's fleet of gunboats moved against Fort Hindman, at Arkansas Post, on the Arkansas River. Jan. 11 a combined attack was begun, which was maintained until 4 o'clock in the afternoon, when the post, with 5,000 prisoners, was surrendered to the Union forces. The Federal loss in the action was 977 killed, wounded, and missing.

Armed Neutrality:

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Armenians.—Inhabitants of Armenia. They belong to the Aryan family of nations. Armenia is the classical name of the Hebrew Ararat, Assyrian Urartu, the country which extends from the shores of Lake Van, between the Upper Euphrates and Media, forming the juncture between the high plateau of Iran and the table-land of Asia Minor. It is the original seat of one of the oldest civilized peoples in the world. According to their records they were governed in ancient times by independent kings, but afterwards became tributary to the Assyrians. After the Assyrian period Armenia became a dependency of Persia and Media. Subse-

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quently it was conquered by Alexander the Great, and later it passed under the nominal supremacy of Parthia and Rome. Then it was ruled by Persian, Byzantine, and Arabic governors until the dynasty of the Bagratides, which came to an end in 1045. The last vestige of Armenian independence was destroyed by the Mamelukes in 1375. Since that date they have been without an independent state, their country being divided between Persia, Turkey, and Russia. They still have an independent church, with the seat of government at Constantinople. In 1804 the greatest cruelties were visited upon Armenians in Turkey, in part because they were Christians. These atrocities were so great as to shock the civilized world. It was claimed that some of those upon whom outrages were committed were persons who had declared their intention to become citizens of the United States. Our consuls were sent there to make investigation of these atrocities and cruelties, and important diplomatic correspondence followed. Assurances were given by Turkey that our countrymen should be secured and protected in all their rights (IX, 557, 637, 663, 715).

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Armories. (See *Arsenals and Magazines.*)

Arms and Ammunition.—The use of firearms followed close upon the invention (about 1320) of gunpowder. The use of gunpowder in military operations in England dates from 1346. Gibbon writes of a cannon used at the siege of Adrianople by Mahomet II in 1543. During that year the first English cannon was cast at Uckfield, Sussex. The arquebuse and musket were evolved by successive improvements on the large guns. The Swiss are said to have had 10,000 arquebusiers in 1471. At the battle of Pavia, in 1525, the Spaniards, under Emperor Charles V, with a force of 2,000 arquebusiers and 800 musketeers, defeated Francis I of France, the effectiveness of the firearms turning the tide of battle. The flintlock came into use in 1630, was introduced into England under William III, and was effectively used as late as 1840 in the British army. The Landgrave of Hesse armed his followers with rifles in 1631. The Fergusson breech-loading rifle was in use throughout the entire Revolutionary War, though the flintlock was the principal weapon used. The first practical breech-loading firearm made in the United States was that patented by Hall in 1811. About 10,000 were made for the Govern-

ment, the inventor superintending their manufacture at the Harpers Ferry Arsenal until his death in 1844. In 1854 Congress made an appropriation for breech-loading rifles, and experiments in this arm were conducted until the breaking out of the Civil War, during the progress of which the Government manufactured and purchased at home and abroad over 4,000,000 small arms of between 25 and 30 different patterns. Among these were breech-loading rifles and carbines and a magazine gun—the Henry. In 1866, 1869, and 1872 boards of officers were appointed to report upon a desirable small arm, and their investigations led to the adoption in 1873 of the Springfield rifle, which remained in use for 20 years. The decade between 1880 and 1890 witnessed a further development in small arms in the substitution of magazines for the single breech-loading apparatus, a decrease in the caliber of the ball, and the adoption of smokeless powder. The different forms of gunpowder used in military operations in America as well as in foreign countries until within the last few years were essentially the same as those used a century or more ago. Ever since the invention of gun cotton by Schönbein in 1845 scientific attention has been directed to the manufacture of smokeless powder. The French seem to have been the first to compound a successful smokeless powder for use in small arms. The material used is a form of melinite and belongs to the nitrocellulose or nitro-gun-cotton preparations. The powder is not absolutely smokeless, but the film of smoke arising from individual rifle firing is not visible for more than 300 yards. Among the latest explosives produced in the United States are cannonite, fulgurite, progressite, Americanite, and Schenebelite. The Army has several depots for the storage of powder, the principal one of which is near Dover, N. J. Powder for both branches of the service is supplied by private firms. Projectiles for the naval guns are made at the Naval Gun Foundry at Washington, D. C. The armor-piercing shells are carefully machined and tempered, and much more expensive to make than ordinary projectiles. In 1892 the United States adopted the Krag-Jørgensen cut-off model magazine rifle. The rifle adopted 1903 and still in use is the United States (Springfield) magazine rifle, its caliber is 7.62 millimeters or 30 inches, its velocity 2,300 ft. per second, its penetration power at 53 ft. being 54.7 in white pine and it carries five rounds of ammunition. These rifles are made chiefly at the Springfield and Rock Island Arsenals. The old modified Krag-Jørgensen rifles are being repaired and supplied to the militia of various States.

Arms and Ammunition:

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Army.—The earliest American military establishment consisted of two parts, the continental army, organized by the Continental Congress June 15, 1775, and the militia (q.v.), organized by the States, averaging between the years 1775 and 1781 about 60,000 men, though often not more than half that number were in active service. The War Department (q.v.) was established by act of Congress Aug. 7, 1789. Nov. 5, 1783, the army was disbanded and 1,000 men retained until the peace establishment could be organized. Though temporarily increased by Indian wars and troubles with France, the Federal forces numbered only from 3,000 to 5,000 men at the outbreak of the War of 1812. During that war the number of regular troops was more than 30,000, and 470,000 militia were enlisted. Up to the time of the Mexican War the army averaged 9,000 men. During that war the regular troops enrolled numbered 27,000 and the volunteers 74,000. With the return of peace the regular forces were reduced to 10,000, and later increased to 12,000. During the first year of the Civil War the regular army was increased to 35,000 by the addition of 11 regiments, viz: One of cavalry, 1,189 officers and men; 1 of artillery, 12 batteries, 6 pieces each, 1,909 men; 9 of infantry, consisting of 3 battalions of 8 companies each, 22,068 officers and men; but the number of militia and volunteers was very much larger. President Lincoln's first call, issued April 15, 1861, was for 75,000 men for 3 months' service (VI, 13). Later enlistments were mostly for 3 years. At the beginning of 1862 the number of volunteers in the army was 550,000, and during the next three years it was 900,000. At the close of the war the Federal army numbered 1,000,000. The total number of enlistments was 2,688,523 (VII, 202). In 1867 the "peace establishment" of the regular army was fixed at 54,641 men. It was then reduced by successive enactments to 25,000 enlisted men in 1875. At the beginning of 1898 the peace establishment of the army consisted of 10 regiments cavalry, 8,410; 5 regiments artillery, 2,900; 25 regiments infantry, 13,525; 1 engineer battalion, 216; total, 25,051. This did not include brigade and staff officers. At the outbreak of the Spanish-American War 2 additional regiments of artillery were added to the regular forces and the line of the army was reorganized on the basis of 2 battalions of 4 companies each to the regi-

ment, and 2 skeleton companies. In case of a declaration of war these skeleton companies were to be manned, and, with 2 other companies for which authority to raise was granted, were to form the third battalion in each infantry regiment. Under the provisions of a law approved March 2, 1899, the regular army establishment was fixed at about 27,700 officers and men. To meet the exigencies of the service in the newly acquired possessions, the President was authorized to maintain the regular army at a strength of 65,000 enlisted men and to raise a force of 35,000 volunteers, to be recruited from the country at large or from the localities where their services are needed, "without restriction as to citizenship or educational qualifications."

The law further provided for the reduction of the army to its normal strength not later than July 1, 1901.

According to an act of Congress approved February 21, 1901, it was provided that the army shall consist of fifteen regiments of cavalry, a corps of artillery (see Artillery), thirty regiments of infantry, three battalions of engineers, a provisional force of five thousand men, one lieutenant-general, six major-generals, and fifteen brigadier-generals. This act also abolished the "canteen" from the army, that is, prohibited the sale of beer or any intoxicating liquors at the army posts. The organization of the army was further modified by an act of Congress approved February 14, 1903, which created the General Staff Corps. This consists of the Chief of Staff, who takes the place of the Commanding General of the Army, two general officers detailed by the President from the regular army not below the grade of brigadier-general, and forty-two officers of minor grade similarly detailed by the President. It is the duty of the General Staff Corps to prepare plans for the national defense and for the mobilization of the military forces in time of war; to assist the Secretary of War in increasing the efficiency of the military establishment; and in case of war to act as a Board of Strategy. The Chief of Staff has supervision of all troops of the line, the Military Secretary's Office, the Inspector-General's, Judge-Advocate-General's, Quartermaster's, Subsistence, Medical, Pay, and Ordnance Departments, the Corps of Engineers and Signal Corps. This law also provided for the merging of the Adjutant-General's Office and the Record, and Pension Office into one office to be known as the Military Secretary's Office (see War, Department of). On January 15, 1904 a general rearrangement of military commands was established, which organized the territory of the United States geographically into five grand military divisions each of which is subdivided into two or more military Departments. A major-general is in command of each Division, and each Department, with one exception, is under the command of a brigadier-general. The Atlantic coast and Gulf coast as far as Louisiana, the Canadian frontier as far as Lake Erie and the States lying east of the line extending from Erie, Pa. to Mobile, Alabama, comprise the Atlantic Division which is divided into the Department of the East and the Department of the Gulf. The great stretch of

Army—Continued.

country drained by the Ohio, the Missouri, and the upper Mississippi valleys and the States along the Canadian frontier from Lake Erie to western Montana comprise the Northern Division, which is divided into the Department of the Lakes, the Department of the Missouri and the Department of Dakota. The lower Mississippi valley and the southwestern States and Territories, the Gulf coast to Louisiana and Texas and the States on the Mexican border comprise the Southwestern Division which is divided into the Department of Texas and the Department of the Colorado. The Pacific coast line embracing the States on the Pacific slope, those drained by the Columbia River, the Territory of Alaska, and the Hawaiian Islands comprise the Pacific Division which is divided into the Department of California and the Department of the Columbia. The Philippine Division includes the Department of Luzon, the Department of the Visayas, and the Department of Mindanao. The Department commander is responsible for the sanitation of posts and camps, for the discipline, shelter, supplies, and the instruction of troops within the limits of his Department. The duties of the Division commander pertain to the higher functions of command. He originates, directs, and approves military operations in the several Departments embraced by his Division, and gives particular attention to all matters pertaining to the inspection of troops, including the organized militia (q.v.) and the military departments of colleges within the limits of his Division. He also has supervision of maneuvers when authorized by the War Department and is charged with the duty of making a thorough study of the frontier pertaining to his Division and the preparation of plans for mobilization and concentration of all forces under his command, regular, volunteer, and militia. The army is recruited from citizens of the U. S. between the ages of eighteen and thirty-five. Enlisted men receive thirteen dollars per month and also rations, clothing, shelter, and medical attendance. The officers are taken from the United States Military Academy (q.v.), from enlisted men by competitive examination; and by appointment from civil life. There is a comprehensive system of military education for the outline of which see Military Schools and Colleges. The theoretical strength of the army, according to the act of February 2, 1901, was 64,310, of which number 3,860 were commissioned officers. This act also provided that the army should not exceed 100,000. The actual strength of the regular army was, on October 15, 1904, 3,744 officers and 56,439 enlisted men, there being 43,570 men in the United States, and 11,538 in the Philippine Islands. Following is a list of the commanders of the army since 1775, together with their respective ranks and the period of command. Gen. George Washington, June 17, 1775, to Dec. 23, 1783; Maj. Gen. Henry Knox, Dec. 23, 1783, to June 20, 1784; Capt. John Doughty (artillery), June 20, 1784, to Aug. 12, 1784; Lieut. Col. Josiah Harmar (infantry), Aug. 12, 1784, to Mar. 4, 1791; Maj. Gen. Arthur St. Clair, Mar. 4, 1791, to Mar. 5, 1792; Maj. Gen. Anthony Wayne,

Apr. 13, 1792, to Dec. 15, 1796; Brig. Gen. James Wilkinson, Dec. 15, 1796, to July 13, 1798; Lieut. Gen. George Washington, July 13, 1798, to Dec. 14, 1799; Maj. Gen. Alexander Hamilton, Dec. 14, 1799, to June 15, 1800; Brig. Gen. James Wilkinson, June 15, 1800, to Jan. 27, 1812; Maj. Gen. Henry Dearborn, Jan. 27, 1812, to June 15, 1815; Maj. Gen. Jacob Brown, June 15, 1815, to Feb. 24, 1828; Maj. Gen. Alexander Macomb, May 29, 1828, to June 25, 1841; Maj. Gen. Winfield Scott, July 5, 1841, to Nov. 1, 1861; Maj. Gen. George Brinton McClellan, Nov. 1, 1861, to Mar. 11, 1862; Maj. Gen. Henry Wager Halleck, July 23, 1862, to Mar. 9, 1864; Gen. Ulysses Simpson Grant, Mar. 9, 1864, to Mar. 4, 1869; Gen. William Tecumseh Sherman, Mar. 8, 1869, to Nov. 1, 1883; Gen. Philip Henry Sheridan, Nov. 1, 1883, to Aug. 5, 1888; Lieut. Gen. John McAllister Schofield, Aug. 14, 1888, to Sept. 29, 1895; Lieut. Gen. Nelson Appleton Miles, Oct. 5, 1895, to Aug. 8, 1903; Lieut. Gen. Samuel B. M. Young, Aug. 8, 1903, to Jan. 9, 1904; Lieut. Gen. Adna R. Chaffee, Jan. 9, 1904, to Feb. 1, 1906; Lieut. Gen. John C. Bates, Feb. 1, 1906 to the present time.

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Arsenals.—Armories and arsenals were not established in the United States until the beginning of the Revolutionary War. In 1776 powder was manufactured in Virginia and brass cannon were cast in Philadelphia. An arsenal was established at Carlisle, Pa., the same year. Washington in 1777 chose Springfield, Mass., as a suitable location for an arsenal, and small arms were manufactured there in 1787. This establishment, now the chief small arms manufactory, has a capacity of 1,000 rifles per day. The arsenal at Harpers Ferry, W. Va., was begun in 1795, and from that time the number was gradually increased until 1860, when there were 23 arsenals scattered over the country. The principal ones at present in use are at Augusta, Ga.; Benicia, Cal.; Frankford, Pa.; Springfield, Mass.; Governors Island, N. Y.; Rock Island, Ill.; San Antonio, Tex.; Dover, N. J.; Watertown, Mass., and Watervliet, N. Y. Ordnance, arms, ammunition, and accoutrements are manufactured at many of these places, the idea being to devote each to a special line of fabrication. Thus the establishment at Watervliet is devoted to the manufacture of heavy ordnance. Casting and assembling of guns are carried on at Rock Island and Benicia, as well as the making of leather goods. Naval guns and projectiles are made at Washington, D. C.

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Civil service discussed by, VIII, 60, 145, 161, 167, 186, 252, 276.

Collector of port of New York, suspension of, discussed, VII, 511.

Constitutional amendment regarding approval of separate items of bill and veto of others recommended by, VIII, 138, 187, 253.

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Death of President Garfield—

Announced to, and reply of, VIII, 14.

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Finances discussed by, VIII, 45, 132, 176, 242.

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Internal improvements discussed by, VIII, 59.

Oath of office administered to, VIII, 25.

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Powers of Federal and State Governments discussed by, VIII, 120, 184, 221.

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Discriminating duties on vessels from Cuba and Puerto Rico suspended, VIII, 223.

Duties on foreign vessels suspended, VIII, 284, 285.

Extraordinary session of Senate, VIII, 34, 286.

Hundredth anniversary of surrender by Washington of commission as Commander in chief, VIII, 223.

Quarantine regulations, VIII, 225.

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Treaty with Great Britain, termination of, VIII, 280.

Unauthorized occupancy of lands in Indian Territory, VIII, 224.

Unlawful combinations in Utah, VIII, 122.

World's Industrial and Cotton Centennial Exposition, VIII, 159.

State of the Union discussed by, VIII, 235.

Tariff discussed by, VIII, 49, 134, 252.

Thanksgiving proclamations of, VIII, 36, 123, 159, 225.

Veto messages of—

Chinese immigration, VIII, 112.

Passengers by sea, VIII, 118.

Relief of Fitz-John Porter, VIII, 221.

Rivers and harbors, VIII, 120.

Discussed, VIII, 137.

Articles of Confederation, I, 9.

Signers of, I, 17.

Artillery.—The history of artillery begins shortly after the invention of gunpowder. It was used by the Moors of Algeciras, in Spain, in 1343, and Edward III had 4 cannon at Crecy in 1346. During the sixteenth century brass guns and cast-iron projectiles were adopted throughout Europe. Gustavus Adolphus, Sweden's greatest warrior, introduced the battalion system and reduced the use of artillery to a science in Europe. Napoleon owed much of his military success to his skill in the manipulation of artillery. In his wars are seen the first important effects of the concentration of fire, which in those days could only be produced by the massing of guns.

Napoleon III made a special study of the subject of artillery, and the treatise begun and mainly written by him is a standard work on the subject. During the Civil War Gen. William F. Barry did much to improve the organization of the artillery of the Union Army. The aggregate of field guns was about 15,000 with 40,000 horses and 48,000 men. According to the army reorganization act of Feb. 2, 1901, the regimental organization of the artillery arm was discontinued and the arm constituted and designated as the artillery corps. This consists of 30 batteries of field artillery, and 126 batteries of coast artillery. The officers of the artillery corps are a Chief of Artillery, to serve on the staff of the general officer commanding the army; 14 colonels; 13 lieutenant-colonels; 39 majors; 195 captains; 195 first lieutenants; 195 second lieutenants; 21 sergeants-major with rank and pay of regimental sergeants-major of infantry; and 27 sergeants-major with rank, pay and allowance of battalion sergeants-major of infantry. The aggregate of enlisted men must not exceed 18,920. (See also Army.)

Artillery:

Increase in. (See Army, increase in.)

Organization of, discussed, V, 288.

Artillery School of Practice at Fortress Monroe, Va., II, 374.

Artists, Foreign, tariff discriminations against, VIII, 207, 237, 339, 506; IX, 66.

Arundel Manuscripts, copy of, placed in Library of Congress, III, 226.

Arve, The, seizure of by Haitian authorities, V, 144.

Ashburton Treaty.—A treaty concluded at Washington Aug. 9, 1842, between Great Britain and the United States. It was negotiated by Lord Ashburton and Daniel Webster. It settled the long-disputed boundary line between the United States and Canada. The former secured about seven-twelfths of the territory which had been claimed by both countries. Provision was also made by the treaty for the suppression of the slave trade and the mutual extradition of fugitives from justice (IV, 162, 194, 229).

Ashburton Treaty:

Discussed, IV, 162, 194, 229.

Reference to, IV, 281, 423; V, 227, 540.

Asheville, N. C., act for erection of public building in, vetoed, VIII, 475.

Ashley, Gen., attacked by Indians, II, 212.

Ashton, J. Hubley, agent of United States before Mexican and United States Claims Commission, report of, transmitted, VII, 425.

Asia.—The largest grand division of the globe. It is generally regarded as the birthplace of the human family and the seat of the most ancient civilization. Its area, including adjacent islands, is (estimated) 14,710,000 sq. miles. Its population was estimated in 1900 to be 923,367,000. Asia lies in the north division of the Eastern Hemisphere. The mass of the continent is more than four times that of Europe. Though it contains more than one half the inhabitants of the globe, its area is so vast that the density of its population is only one third that of Europe. The continent embraces in a general way all climates, physical features, grades of civilization, and forms of religion. In the southeast and north the people are Mongolians, the central and west central portions

Asia—Continued

are peopled by Aryan races, while the Arabs, Hebrews, and Syrians of the south-west belong to the Semitic group of peoples. The countries of Asia are Siberia, China, Korea, Borneo, Sumatra, Annam, Siam, Burma, India, Tibet, Afghanistan, Baluchistan, Turkestan, Persia, Arabia, Asiatic-Turkey, and the Japan and Philippine Islands.

Asia:

Commerce with, extension of, recommended, V, 88, 167.

Cooly trade with, referred to, VI, 60.

Asiatic Squadron. (See Manila Harbor, Battle of.)

Asphaltum, disposition of lands in Utah containing, discussed, IX, 736.

Aspinwall, United States of Colombia:

Claims arising out of destruction of, VIII, 327, 537.

Imprisonment of American citizens in, VIII, 211.

Mistreatment of passengers and seamen on ships plying between New York and, VI, 212.

Vessels from, duties on, suspended, VIII, 284.

Assassination of American Presidents, discussed, X, 417. (See also under Lincoln, Abraham; Garfield, James G.; and McKinley, William.)

Assessments, Political.—In the conduct of a political campaign considerable expense is incurred for hall-rent, printing, music, and the necessary and legitimate efforts of each party to present its claims to the voters and secure their attendance at the polls. This expense is paid out of the campaign funds of the various political parties, the money therefor being raised in part by assessments upon both candidates and officeholders, as well as by voluntary contributions. In order to properly apportion the contributions to the campaign funds, assessments are sometimes based upon the salary of the office held or asked for at the hands of the party. There is a limit to legitimate party assessments and party expenses, beyond which lies the criminal field of black-mail and bribery. The first legal knowledge of the system of levying political assessments is found in the testimony taken before the Swartwout investigating committee of the House in the Twenty-fifth Congress. A former deputy collector of the port of New York testified that he had frequently been called upon to contribute while in the custom-house. As far as can be ascertained, assessments have been pretty general since 1840. President Hayes, at the beginning of his administration, in 1877, made an unsuccessful attempt to stop the practice. The Civil Service Law in 1883 prohibited the levying of such assessments, and since its adoption the practice has been greatly lessened. The custom of soliciting "voluntary" contributions still prevails however.

Assumption of State Debts.—Early in the second session of the First Congress Alexander Hamilton, Secretary of the Treasury, recommended that in order to restore public credit the Federal Government should fund and pay the foreign debt of the Confederation (\$13,000,000), the domestic debt (\$42,000,000) and also that it assume and pay

the unpaid war debt of the States. Massachusetts, Connecticut, New York, New Jersey, and South Carolina favored the plan. Virginia strongly opposed the latter clause. She was sustained in her opposition by Maryland, Georgia, and New Hampshire. The influence of North Carolina thrown against the measure defeated it for the time, but it was revived later, and passed Aug. 4, 1790, it was claimed, by a combination of its friends with those of the measure locating the Federal capital on the Potomac. The amount authorized to be assumed by the Government in the liquidation of the State debts was \$21,500,000, but the amount actually assumed was \$3,250,000 less than that sum.

Astronomical Observatory:

Establishment of, recommended, II, 313.

Report of Simon Newcomb on improvements for, VIII, 203.

Asylum, Military. (See Soldiers' Home.)

Asylum, Right of, discussed, VI, 685; IX, 529.

Atchison and Pikes Peak Railroad Co. referred to, VI, 460.

Atkinson, Edward, international arrangement fixing rates between gold and silver coinage, report of, on, VIII, 592.

Atkinson, Henry:

Mentioned, II, 132.

Treaty with Indians concluded by, II, 321.

Troops sent to suppress Indians, commanded by, II, 387, 603.

Atlanta, The. (See *Weehawken, The.*)**Atlanta, Ga.:**

Capture of, and orders regarding celebration of, VI, 238.

Collection of remains of officers and soldiers around, referred to, VI, 383.

Cotton Exposition at, VIII, 44.

Atlanta (Ga.), Battle of.—On the night of July 21, 1864, Gen. Hood transferred his forces before Atlanta to a point near Decatur, about 5 miles east of Atlanta. Sherman came up and, finding the works on Peach Tree Creek abandoned, proceeded to invest the city. At 11 a. m. of the 22d Hood surprised the left wing of Sherman's army, under McPherson, by a sudden movement from Decatur. The whole line was soon engaged. Gen. McPherson was killed in the action, and the command of the Army of the Tennessee devolved upon Gen. Logan. After 4 hours of fighting the Confederates retired into their main works about Atlanta, leaving their dead and wounded on the field. The total Confederate loss was estimated at about 8,000. The Federal loss was 3,722 killed, wounded, and missing. Sherman now drew his lines closely around Atlanta and prepared for a siege, but was unable to cut off Confederate supplies from Macon. Aug. 25 he gave up the idea of a direct siege. Sept. 1, however, a part of Hood's forces under Hardee having been repulsed at Jonesboro, Hood blew up his magazines and evacuated the city.

Atlanta, U. S. S., mentioned, X, 584, 687.

Atlantic Ocean:

Canal from—

Great Lakes to, commission to consider construction of, IX, 747.

Gulf of Mexico to, discussed, II, 429.

Junction between Pacific and, referred to, IV, 275; V, 140.

- Atlantic Ocean**—*Continued.*
Desired, V, 280, 457.
- Atlantic Telegraph:**
Discussed, VI, 455.
Referred to, VI, 128, 181, 244.
- Atlixco (Mexico), Battle of.**—Immediately after the battle of Huamantla Gen. Lane pressed forward to relieve the garrison at Puebla. Oct. 18, 1847, he learned that Rea, with a body of guerrillas, was at Atlixco, a town about 10 leagues from Perote. The enemy was encountered on the afternoon of the 19th outside of the city, driven into and through the city, and dispersed. The Mexican loss was very severe, no less than 519 having been killed and wounded, while the Americans lost only 2 men.
- Attorney-General** (see also **Judiciary System**, **Justice**, **Department of**):
Compensation to, referred to, II, 128, 528.
Duties of, IV, 415.
Duty to prosecute and conduct all cases in the Supreme Court in which the United States should be concerned or interested, II, 128.
Member of board to examine quotas of States under call for troops, VI, 275.
Modifications in office of, recommended, II, 527; IV, 415.
Opinion of—
Concerning treaty of Ghent, II, 400.
Regarding delivery of persons charged with crimes referred to, III, 591.
Opinions of, compiled, III, 639; V, 96, 107.
Recommendation that he be placed on footing with heads of other Executive Departments, I, 577; II, 314, 453; IV, 415.
- Attorneys, District:**
Compensation of, discussed, I, 197; V, 130, 178; VIII, 183, 249, 354, 518.
Necessity of a uniform fee bill for guidance of, referred to, V, 130.
- Atwater, Caleb**, treaty with Indians concluded by, II, 466.
- Atzerodt, George A.:**
Implicated in murder of President Lincoln, proceedings of trial and verdict of military commission, VI, 334, 335, 336, 342, 347, 348.
Persons claiming reward for apprehension of, directed to file claims, VI, 353.
- Augur, Christopher C.**, directed to assume command of Department of Missouri, VIII, 167.
- Augusta, Ga.**, arsenal at, referred to, II, 327.
- Augusta (Ga.), Siege of.**—In the autumn of 1780, Cornwallis stationed Lieut. Col. Brown, with a Loyalist force, at Augusta, Ga. Col. Clark threatened the place for 2 days, inflicting some loss upon the garrison. The British loss was principally of their Indian auxiliaries. In the spring of the following year, while Gen. Greene besieged Fort Ninety-Six, Lee, Pickens, Clark, and other Southern partisans laid siege to Augusta, beginning May 23. June 5, 1781, Brown surrendered. The American loss was 51 killed and wounded. The British lost 52 killed. The wounded and prisoners on the British side amounted to 334.
- Auldjo, Thomas**, vice-consul to Poole, England, nomination of, I, 98.
- Aury, Louis de**, mentioned, II, 32.
- Austin-Topolovampo Railroad**, survey of, correspondence with Mexico regarding, referred to VII, 523.
- Australasia.**—A geographical division of the globe, consisting of Australia, New Guinea, New Zealand, New Caledonia, New Hebrides and the Admiralty, Solomon and Queen Caroline Islands. It is also called Melanesia (black islands) from the prevailing color of the inhabitants.
- Australia.**—The largest island in the world, but, on account of its size, usually regarded as a continent. It is bounded on the east by the Pacific Ocean, on the west, northwest, and southwest by the Indian Ocean, on the north by Arafoora Sea and Torres Strait, which separate it from New Guinea and other small Pacific islands. On the south Bass Strait divides it from Tasmania. The natives resemble Africans, but are a much lower type. The physical features suggest the possibility of Australia having at no remote period been the bed of an ocean. The coastal regions are hilly, in places mountainous, and very fertile, but the vast majority of the country consists of an interior plain, sandy, waterless and entirely useless. In general the climate is warm, dry and very salubrious. The fauna and flora also present characteristics peculiar to Australia. It is a federation of British colonies, bearing the title of Commonwealth and consisting of the States of New South Wales, Victoria, Tasmania, South Australia, Western Australia, and Queensland. It is governed by a governor-general, representing the King of England, assisted by a Senate and House of Representatives. Agriculture, stock-raising and mining are the chief industries. Wool, frozen meat, butter, gold, copper, lead, hides and cabinet woods are the main exports. Area, 2,972,573 sq. miles, with a population (1901) of 3,771,715.
- Australian Ballot.** (See **Ballot**.)
- Austria** (see also **Austria-Hungary**):
Chargé d'affaires of, to United States, withdrawal of, referred to, V, 154.
Commercial relations with, II, 551; IV, 151.
Confederate envoys sent to Great Britain and France referred to. (See **Mason and Slidell**.)
Consul of United States to Vienna referred to, V, 45.
Consular convention with, VII, 69.
Fugitive criminals, convention with, for surrender of, V, 378.
Importation of American products to, legislation against, discussed, VIII, 331.
Imprisonment of American citizens by, V, 153, 209.
Minister of United States to be sent to, III, 375.
Relations opened with, III, 489.
Treaty with, transmitted and discussed, II, 409, 445, 463, 534, 542, 594; IV, 584; V, 378.
Correspondence regarding, referred to, V, 26.
Referred to, II, 507, 551.
Troops of, departing to Mexico referred to, VI, 390, 391.
Vessels of, discriminating duties on, suspended by proclamation, II, 440, 441.
War with Hungary, sympathy of American Government with latter, V, 12, 41.
Wines from, duties on. (See **Wines**.)
- Austria-Hungary.**—A bipartite State in the interior of Europe consisting of the Cisleithan Empire of Austria and the Transleithan

Austria-Hungary—Continued.

Kingdom of Hungary. Each of the two countries has its own parliament, the connecting links between them being a hereditary sovereign, common army, navy, diplomatic corps, and a controlling body known as the Delegations. The Delegations form a parliament of 120 members, one half of whom is chosen by Austria and the other half by Hungary. On matters affecting the common welfare the Delegations have a decisive vote, their resolutions requiring neither approbation nor confirmation. The Austrian and Hungarian members usually sit in separate council, but if unable to agree they must meet as one body. Their jurisdiction is limited to foreign affairs, finance, and war. The country has a circumference of about 5,350 miles, about 500 miles of which is seacoast, bordering upon the Adriatic. Three fourths of the surface is mountainous. The area is 265,180 sq. miles, containing a population of 45,085,000. The principal industries are mining, the cultivation of fruit, and wine making. The leading mineral products are coal, iron, salt, gold, and silver, though none of the useful minerals are wanting. Hungary is second only to France in the abundance and quality of the wine produced.

Austria-Hungary (see also Austria; Hungary):

Claims of, regarding subjects killed in conflict in Pennsylvania, X, 99, 138.

Consular convention with, VII, 144.

Empress-Queen of, assassination of, X, 99.

Expulsion of American citizens, X, 200.

Minister of, to United States received, VIII, 131.

Minister of United States to, appointment of A. M. Kelley as, and refusal to receive, discussed, VIII, 325.

Naturalization treaty with, VII, 115, 144, 188.

Tariff laws of, evidence of modification of, proclaimed, IX, 283.

Discussed, IX, 312.

Trade-marks, treaty with, regarding, VII, 160.

Autonomous Government for Cuba discussed, IX, 720; X, 36, 59, 83, 436.

Auttose Towns, Destruction of.—The news of the massacre of whites at Fort Mimms having spread into Georgia, Brig. Gen. John Floyd, at the head of 950 State militia and 400 friendly Indians, started on an expedition of chastisement. Between midnight and dawn of Nov. 29, 1813, the attack was made on two Auttose villages. The Indians fought fiercely, but were overwhelmed, driven to the woods and caves, and shot. Floyd lost 11 killed and 54 wounded.

Aux Canards (Canada), Battle of.—The first encounter between British and Americans in the War of 1812. Gen. William Hull, governor of the Northwest Territory, placed in command of forces in Ohio and ordered to begin the invasion of Canada, crossed the river July 12, 1812, and dispatched Col. Lewis Cass with 280 men toward Malden. Crossing the Rivière aux Canards, a tributary of the Detroit, he drove the outposts in and took 2 prisoners, from whom he learned that some of the enemy had been killed and 9 or 10 wounded. Cass did not lose a man.

Auxiliary Navy in Spanish-American War, X, 88.

Avery'sboro (N. C.), Battle of.—Mar. 16, 1865, Gen. Slocum, in the advance of the Union

Army, encountered the Confederates under Gen. Hardee near Avery'sboro, in the narrow swampy neck between Cape Fear and South rivers. Hardee hoped to hold Sherman in check until Johnston could concentrate his army at some point in his rear. Incessant rains had made the ground so soft that men and horses sank deep in the mud. A severe fight took place amid showers of rain and gusts of wind. The whole line advanced late in the afternoon and the Confederates retreated to Smithfield, leaving 108 dead upon the field. The Federal loss was 77 killed and 477 wounded.

Aves Islands.—A group of small islands in the Caribbean Sea, belonging to Venezuela.

Aves Islands:

Claims regarding, paid, VI, 244.

Convention with Venezuela regarding, V, 580, 663.

Reference to, V, 668.

Ayer, Ira, mentioned, IX, 307.

Ayers, Edward, act granting pension to, vetoed, VIII, 410.

Aztecas or Aztecs.—A branch of the Nahuatl stock of Indians, supposed to be the original inhabitants of Mexico. They appeared in the valley of Mexico about the middle of the thirteenth century, and are said to have been journeying southward for 600 years. The conquest of Mexico by Cortez in 1519 put an end to the power of the confederacy between the Aztecas, Tezcucans, and the Tecpanecans. From analogy of language it is probable that they crossed the Pacific ocean by way of the Aleutian Islands from Asia. There are, however, various theories as to their origin. They founded Tenochtitlan on the present site of the City of Mexico in 1325, and ruled an empire of 30,000,000 people. They were well advanced in the arts and sciences, as is evidenced by the remains of their temples, roads, and waterways. Only about 2,000,000 pure-blooded Aztecas are left in the mountains of Mexico. In stature they are small and somewhat resemble the Egyptians.

B

Bachelder, Elvira, act granting pension to, vetoed, IX, 679.

Bacon's Rebellion.—An insurrection in 1676 of the people of Virginia, led by Nathaniel Bacon. In 1673 the Crown assigned the entire Province of Virginia for 31 years to Lords Arlington and Culpeper, with power to collect for their own use all quit rents, escheats, and duties; to name sheriffs and other officers; to make new counties, and in general to exercise the authority of absolute rulers. Sir William Berkeley, the English governor of the Colony, was very unpopular on account of his opposition to free education and a free press. He seemed to think that the function of a governor was to get as much as possible from the colonists for himself and his masters at the least possible cost. He also proved inefficient in protecting the settlers against the ravages of the Indians. He laid heavy taxes upon the people and restricted the franchise. An Indian uprising having occurred in the State, a force of 500 men gathered to march against them. Berkeley ordered

Bacon's Rebellion.—Continued.

them to disband. The colonists chose Bacon, who was a popular lawyer, as their leader, and despite the refusal of the governor to commission him, he led his men against and defeated the Indians. Berkeley thereupon proclaimed Bacon a rebel, notwithstanding which the people chose him a member of the new assembly. On his way to Jamestown he was arrested and tried by the governor and his council, but was released on parole and left the capital. He soon returned with 600 men and again demanded a commission, which was granted. While Bacon was successfully engaged in another campaign against the Indians Berkeley again proclaimed him a rebel and a traitor. Bacon then burned Jamestown, the governor taking refuge on an English vessel in the harbor. The rebellion was carried on in a desultory way until the death of Bacon in 1677, when it collapsed for want of a leader. The English executed 23 of the participants in this rebellion. It is notable as the first formidable resistance to colonial authority in British America. The significance of its occurrence just 100 years before independence has often been remarked. One of Bacon's lieutenants put to death for his part in the rebellion, was William Drummond, who had served for a few years as the first governor of North Carolina.

Baden, fugitive criminals, convention with, for surrender of, V, 365.

Bagley, Worth, ensign in Navy, killed while attempting to silence batteries at Cardenas, Cuba, X, 91. (See also X, 77.)

Bahama Banks, negotiations with Great Britain regarding cession of keys on, to United States, II, 347.

Bahama Islands, formerly Lucayos.—A chain of islands stretching from near the north coast of Haiti to the east coast of Florida. They are separated from Florida by the Gulf Stream and from Cuba by the Old Bahama channel. There are some 3,000 of these islands but only about 30 of any size. The principal ones, beginning at the northwest, are Great Bahama, The Abacos, Eleuthera, New Providence, Andros, Guanahani or Cat Island or San Salvador, Watling Island, Exuma, Long Island, Crooked Islands, Marguana, Inagua, Little Inagua, Caicos, and Turks Island. The climate of these islands is very mild and salubrious, even in winter. The soil is thin, but produces cotton, maize, pineapples, oranges, etc. The Bahamas were Columbus's earliest discovery, but there is some doubt as to which of the islands he called San Salvador. The islands were occupied by the English in 1629 and finally secured to them by the treaty of 1783. Area, about 5,450 sq. miles; population (1901), 53,735. The capital is Nassau, New Providence.

Bahama Islands, postal convention with, VIII, 792.

Bailey, Edward L., reinstatement in service vetoed, X, 593, 595.

Bailey, Theodoros, thanks of Congress to, recommended, VI, 76.

Bainbridge, William:
Commander of the—

Constitution, I, 522.

Philadelphia, I, 364, 368.

Letter of, regarding—

Hostile act of vessel of Morocco transmitted, I, 364.

Wreck of the *Philadelphia* transmitted, I, 368.

Baker City Forest Reserve, proclaimed, X, 728.

Baker, Eugene M., engagement with Piegion Indians referred to, VII, 50.

Baker, John, imprisonment of, in New Brunswick, II, 397, 403, 424.

Claims arising out of, III, 470.

Baker, John M., act for relief of children of, vetoed, VII, 171.

Baker, Marcus, member of Board on Geographic Names, IX, 212.

Baldwin, Charles H., thanks of Congress to, recommended, VI, 76.

Baldwin, Leon, indemnity paid by Mexico for murder of, in Durango, IX, 527.

Baldwin, Marie L., mentioned, X, 797.

Balestier, Joseph:

Mentioned, V, 152.

Mission of, to eastern Asia referred to, V, 145.

Ball, Farnaren, act granting pension to, vetoed, VIII, 668.

Ballard, David W., governor of Idaho Territory, removal of, referred to, VI, 596.

Ballard, Henry K., commander of the *United States*, III, 54.

Ballier, J. F., act increasing pension of, vetoed, VIII, 690.

Ballot.—Literally a little ball. The term is applied to all methods of secret voting, because formerly all such votes were taken by black and white balls placed in the same box, or balls of only one color were deposited in different boxes so arranged that none but the voter could see which box, received his ball. The Greeks used marked shells (*ostrakon*), whence the term ostracism. The Romans used tickets for secret voting as early as 139 B. C. The first use of the ballot in the United States was in the selection of a pastor by the Salem Church, July 20, 1629. During the same year it was used in ecclesiastical and municipal elections in the Netherlands, but in England the custom was not established until 1872, though secret voting was actually employed in the parliament of Scotland in cases of ostracism two centuries earlier. In 1634 it began to be used in elections for governor of Massachusetts. The constitutions of Pennsylvania, New Jersey, and North Carolina, which were adopted in 1776, made voting by ballot obligatory. Some of the Southern States were slow to adopt the ballot system of voting, the *viva voce* method having prevailed in Kentucky local and State elections up to a late date. In Alabama, Florida, Indiana, Kansas, Kentucky, Louisiana, Nevada, North Carolina, Pennsylvania, Tennessee, and Texas, and possibly other States, the constitutions require the legislatures to vote *viva voce*. In 1875 Congress passed a law requiring all Congressmen to be elected by ballot. The first bills embodying the Australian ballot system were introduced in the legislatures of Michigan and New York, in 1887, but failed of passage until 1889 when the system was adopted in a slightly modified form. In 1888, the system was adopted at Louisville, Ky., and in Massachusetts. This method requires the names of all the candidates for all the offices to be placed on one ticket. The voter retires to a

Ballot—Continued.

private booth and indicates his choice by making a mark opposite a party emblem or a candidate's name. This system of voting was first proposed by Francis S. Dutton, a member of the legislature of South Australia, in 1851. Its use in the United States was first advocated in 1882 by Henry George in a pamphlet entitled "English Elections." The Australian ballot has been adopted in some form in all the States except North Carolina, South Carolina, Georgia and Nevada. Delaware adopted it but later returned to the old system. A modification of the ballot, used in some localities, is the so-called voting machine in which the candidate indicates his choice by pressing knobs which record his vote upon slips of paper and record also the number of votes cast for each candidate.

Balls Bluff (Va.), Battle of.—In October, 1861, Gen. McClellan directed Brig. Gen. Charles P. Stone to make a demonstration toward Leesburg, Va. Stone ordered Col. Devens, of the Fifteenth Massachusetts, to cross the Potomac near Balls Bluff and attack and destroy any Confederate camps found, or to report and wait for reinforcements. Devens, with about 300 of his own regiment and 100 men of the Twentieth Massachusetts, advanced to Leesburg, but, encountering opposition, fell back to the place of crossing, and was attacked there by the Confederates Oct. 21. Col. Baker, who was a United States Senator, arriving with a California regiment and the Tammany regiment of New York, assumed command. The Union forces now numbered 1,900. At 5 o'clock p. m. Col. Baker was killed, and the Federals, after a vain attempt to cut their way through to Edwards Ferry, were given orders to retreat to the river bank and to save themselves as best they could. Many of the retreating army were drowned while swimming the river. The number of Federals lost was 894. The Confederates lost 302. Gen. Stone was arrested and kept in confinement from Feb. 9 to Aug. 16, 1862.

Balmaceda, José M., President of Chile, mentioned, IX, 183.

Baltic Sea.—A European inland sea washing the shores of Sweden, Germany, and Russia. It terminates in the Gulfs of Bothnia, Finland and Riga.

Free transit into and from, discussed, V, 334, 411.

Sound dues on commerce to, imposition of, V, 241.

Baltimore, The :

Mentioned, X, 72.

Sailors of, assaulted at Valparaiso, and action of Government discussed, IX, 185, 215, 227.

Indemnity for, paid by Chile, IX, 312, 315.

Baltimore, Md. :

British retreat from, referred to, I, 548.

Courts of United States in, provision for accommodation of, referred to, V, 365.

Duties at port of, referred to, I, 88.

Insurrection in, on day of election, measures to prevent, V, 444.

Memorial from merchants in, transmitted, I, 396.

Military police to be established in, VI, 112.

National convention at, for prevention of cruelties to animals, VII, 506.

National Prison Congress at, referred to, VII, 208.

Police commissioners of, arrested, referred to, VI, 33.

Post-office building for, referred to, V, 365.

Bancroft, George :

Death of, announced and honors to be paid memory of, IX, 164.

Minister to Germany, communication from, regarding political questions in Germany, transmitted, VII, 63.

Referred to, VII, 160, 186.

Baney, Tobias, act granting pension to, vetoed, VIII, 689.

Bangham, Eleanor C., act for relief of, vetoed, VIII, 425.

Bank Bills less than \$20 should be suppressed, III, 166.

Bank, International American :

Charter for, recommended by President Benj. Harrison, IX, 125.

Establishment of, recommended by International American Conference, IX, 70.

Discussed, IX, 125.

Bank, Manufactory.—A banking scheme which originated in Massachusetts in 1740. The idea was to secure the issues by mortgage on the real estate of each subscriber to the amount of his subscription. Though opposed by a strong party, it passed the house of representatives. The bank failed after issuing notes to the extent of £50,000.

Bank Notes. (See Banks and Banking and Finances discussed.)

Bank of Missouri, measures taken by Government to enforce payment of sums due from directors of, II, 375.

Bank of Pennsylvania :

Payment of bonds of, held by United States referred to, III, 509.

Suspension of, referred to, III, 551.

Bank of United States :

Act to extend charter of, vetoed, II, 576.

Referred to, III, 6.

Act to incorporate, vetoed, I, 555.

Agent should be appointed to take charge of books of, III, 163.

Attempts to impair credit of Government, III, 13, 31.

Bills of exchange discounted at, for benefit of Senators inquired into, III, 127.

No report on subject of, III, 128.

Bills of, should not be received for taxes, III, 163.

Charter obtained by officers of, from Pennsylvania for new bank, III, 252.

Charter of, not to be renewed, III, 7, 31.

Expiration of, discussed, II, 462; IV, 44.

Chartered rights of, should be terminated, III, 31.

Claims of, and course pursued by, III, 110.

Constitutionality of law creating, questioned, II, 462, 520; III, 6.

Dangers from, apprehended, II, 528; III, 5, 30.

Deposits in, removal of, III, 30.

President Jackson's paper to Cabinet on, III, 5.

Refuses to transmit, to Senate, III, 36.

Recommended, II, 600; III, 17.

Referred to, III, 167.

Views of President Tyler on, IV, 44.

Directors of, nomination of, and reasons therefor, III, 41.

Discussed by President—

Jackson, II, 558; III, 163, 251.

Polk, IV, 654.

Tyler, IV, 44.

Banks of United States—Continued.

- Distresses caused by, needlessly produced, III, 109.
 - Reference to, III, 164.
 - Flagrant misconduct of, commented on, III, 10, 30, 111.
 - Government must be separated from, III, 110.
 - Judicial power, attempts to usurp functions of, III, 40.
 - Money in, not accounted for, III, 40.
 - Notes of, can not be reissued after expiration of charter, III, 252.
 - Organization of, referred to, I, 579.
 - Panic, attempts to bring about, III, 31.
 - Papers and funds in possession of, refusal to deliver, III, 39.
 - Pension money retained by III, 109.
 - Political power of, fund employed by, to sustain, III, 30.
 - President of, funds at disposal of for electioneering purposes, III, 30.
 - Recharter of, a leading question in election of President, III, 6, 30.
 - Sound currency, failure of, to establish, II, 462.
 - Stock in—
 - Government should be notified regarding, III, 163.
 - Should be sold, III, 111.
 - Subscriptions to, I, 104.
 - Substitute for, must be adopted by Congress, III, 9.
 - Successor of, can not reissue notes of, III, 252, 383.
 - With limited powers, recommended, II, 529.
- Bank of United States vs. Halstead.**—An important Supreme Court case on appeal from the circuit court of Kentucky in 1825. Property, including real estate, was offered for sale for debt. The highest bid being less than three fourths of its appraised value, the property was not sold. The Supreme Court held that it had jurisdiction in a case to which the Bank of the United States was a party, and that a law which forbade the sale of land under execution for less than three fourths of its appraised value did not apply to writs of execution issued by Federal courts.
- Bank of United States vs. Planters' Bank of Georgia.**—A suit brought by the Bank of the United States for payment of a promissory note which had been indorsed to it by the Planters' Bank of Georgia. The State of Georgia had stock in this bank. The action was brought against the Planters' Bank and also against the State. The Supreme Court in 1824 decided that if a State became a party to a banking or a commercial enterprise the State could be sued in the course of business, on the principle that when a government becomes a partner in any trading company it divests itself, so far as concerns the transactions of that company, of its sovereign character and takes that of a private citizen. The State, said the court through Chief Justice Marshall, is not a party—that is, an entire party—in the cause. It was also held that the circuit court had jurisdiction in such matters.
- Bankhead, Charles :**
- Correspondence regarding northeastern boundary. (See Northeastern Boundary.)
 - Correspondence relative to mediation offered by Great Britain in controversy between United States and France, III, 217.

Bankhead, James, correspondence regarding Dorr's Rebellion, IV, 299, 302, 304, 305.

Banking System. (See Banks and Banking.)

Bankruptcy.—The Constitution gives Congress the power to establish uniform bankruptcy laws throughout the United States. Bankruptcy is a state of inability to pay all debts. It is also the process by which an individual may secure a discharge of his indebtedness by surrendering his property and complying with the law. Apr. 4, 1800, a bankruptcy act was passed by Congress and was repealed in December, 1803. In May, 1837 a commercial crisis occurred in the United States, causing failures to the amount of \$100,000,000. On account of the heavy losses incurred during the financial panic which ensued, another act was passed Aug. 19, 1841, and repealed in 1843. Another financial panic occurred in 1857, and most of the banks suspended specie payments. A third (the Lowell) act was passed Mar. 2, 1867, and repealed in 1878 (VII, 250). The present law was passed in 1898. During the years of our history when no national bankrupt law existed all matters relating to insolvencies have been under the control of State laws.

Bankruptcy (see also Insolvent Debtors):

Laws of—

Modifications in, regarding involuntary bankruptcy recommended, VII, 250.

Passage of, recommended, IV, 54; V, 441, 521; VIII, 143, 253; IX, 43, 126.

Memorial in favor of, presented, IV, 54.

Power to make, vested in Congress, II, 303; V, 441.

Uniform system of, act to establish, referred to, II, 114.

Banks, N. P., orders issued by, at New Orleans transmitted, VI, 269.

Banks.—A bank is an institution for receiving and lending money. The banking institutions of the United States may be classed as national and State banks, private banks or bankers, savings banks, and loan and trust companies. In 1781 the Congress of the Confederation chartered the Bank of North America with a capital of \$400,000, with a view to providing through its notes a circulating medium for the country. Doubt as to the power of Congress caused the bank to be rechartered by Pennsylvania in 1782. By 1791 two more banks had been established, one in New York, the other in Boston. In that year Congress established the Bank of the United States. The charter authorized an existence of 20 years and a capital of \$10,000,000, one fifth to be supplied by the United States. In 1811 Congress refused to renew the charter. During the trying times of the War of 1812 only State banks existed, and these largely increased in number. In 1816 the second United States Bank was chartered to run 20 years, with a capital of \$35,000,000, of which the Federal Government subscribed one fifth. The bank was to have custody of the public funds, and 5 of its 25 directors were to be appointed by the United States. Congress passed an act renewing the charter in 1832, but President Jackson vetoed it (II, 576). After a Presidential election in which his fight with the bank was made an issue President Jackson ordered the public funds to be removed from the Bank of the United States and placed in State banks (III, 5). In 1836 the bank's charter expired.

Banks—Continued.

In 1841 President Tyler vetoed 2 bills to revive it (IV, 63, 68). In 1846 the Independent Treasury system was established, providing that all public funds of the United States should be received and paid out without the intervention of the bank. Between 1836 and 1863 only State banks existed. Feb. 25 1863, the national-bank act was passed. This act proving defective, it was superseded by the act of June 3, 1864, which forms the basis of the present system. (See also the several banks.)

Banks and Banking:**Banking system—**

Discussed by President—

Lincoln, VI, 130, 149, 248.

Madison, I, 565.

Polk, IV, 407.

Van Buren, III, 324, 490, 540.

Reforms in, recommended, III, 161.

Discussed by President—

Buchanan, V, 437.

Grant, VII, 287.

Van Buren, III, 324, 490, 540.

Specie payments discussed. (See Specie Payments.)

Special commission to make suggestions concerning, recommended, X, 430.

Banks, National.—Dissatisfaction and losses in connection with the State banking system in vogue in the first half of the nineteenth century led to the passage of laws by the Federal Government for the protection of holders of the circulating medium. The first national-bank act of the new and comprehensive series was suggested to Congress by Secretary Chase in 1861 and passed in 1863. It was amended by a law passed June 3, 1864. These acts form the basis of the present law. It is patterned after the New York State banking law, which in 1849 required circulating notes of all banks of that State to be secured by a deposit of stocks and bonds, one half in issues of that State. The circulating notes were redeemable at one of several agencies within the State. This latter feature of the New York law was adapted from the Suffolk system in vogue in New England. Under the national banking law, as amended by the act of March 14, 1900, any five persons with a combined capital of \$25,000 may open a bank and receive circulating notes to the amount of the par value of their capital invested in United States bonds, but not to exceed the par value of the bonds. In cities of more than 3,000 and less than 6,000 inhabitants the capital required is \$50,000 while a capital of \$100,000 is required in cities having a population of over 6,000, and double this amount where the population exceeds 50,000. The ratio of circulating medium to capital remains the same in all places. The law also established the National Bank Bureau in the Treasury Department and created the office of Comptroller of the Currency. This act added some \$350,000,000 to the currency of the country. For the year ending Sept. 1, 1905, there were 5,505 such banks in operation, their combined capital amounted to \$776,175,576, their total net earnings to \$105,909,385 and their combined surplus to \$407,643,159.

Banks, National:

Circulation of. (See National Banks.)

Discussed by President—

Arthur, VIII, 133, 179, 245.

Cleveland, VIII, 341; IX, 444, 533, 554, 647, 724.

Grant, VII, 245.

Johnson, VI, 365, 572.

Lincoln, VI, 130, 149, 183, 248.

McKinley, X, 29, 133.

Roosevelt, X, 430.

Van Buren, III, 324, 490, 540, 611.

Organization of, discussed, VIII, 133, 341; IX, 444, 533, 724.

Reports of examiners of, referred to, VIII, 68.

Should engage attention of Congress, I, 566; II, 462.

Tax on capital and deposits of, repeal of, recommended, VIII, 49, 179.

Banks, Pet.—When President Jackson ordered the public funds withdrawn from the United States Bank in 1833, it became necessary for the Administration to find some other place of deposit for the Federal moneys. Certain State banks were chosen, and the allegation was made that the selection was determined not so much on the ground of fitness as on that of party fidelity, a principle also much in vogue in the granting of bank charters before the system of free banking came into use. The banks selected by Jackson as public depositories were in derision called "pet banks."

Banks, Postal Savings.—Post-office savings banks were established in England in 1861 to meet the growing wants of the people for a secure place of deposit for savings, as well as to provide facilities for those who live in places remote from any regular savings institution. At first only certain post-offices were designated, but the system was later extended to include all the money-order offices in the United Kingdom. The depositor receives a pass book in which his deposit is entered, and the postmaster-general is immediately notified by the officer receiving the money, and the deposit is acknowledged by the department. The money is invested in Government funds. The Government is responsible for all money received, so that depositors are secured against the dishonesty of officials. A depositor may apply for repayment at any post-office savings bank in the Kingdom, and may direct payment to be made to him at that or any other post-office savings bank. His order is forwarded to the postmaster-general in London, and in due time he receives a warrant on the designated office, which he presents, together with his pass book, and receives the money. Deposits can be made of sums ranging from 1 shilling to £50 in one year, the total never to exceed £200, including interest, which is at the rate of 2½ per cent. The success of postal savings banks in England and other foreign countries has attracted the attention of economists in the United States. Several Postmasters-General have advocated their establishment in the United States, and from time to time their recommendations have been favorably indorsed by the Chief Executives.

Banks, Postal Savings, recommended by

President—

Arthur, VIII, 52.

Grant, VII, 108, 250.

Hayes, VII, 622.

Banks, Savings.—The first savings bank in the United States was the Boston Provident Savings Institution, incorporated Dec. 13, 1816. The Philadelphia Savings Fund Society began business the same year, but was not incorporated until 1819. In 1818 banks for savings were incorporated in Baltimore, Md., and Salem, Mass., and in 1819 in New York, Hartford, Conn., and Newport and Providence, R. I. There were in 1905 some 1,237 savings banks in the United States in which 7,606,229 persons had deposited \$3,261,236,119, these figures are the highest reached in the history of this country both with regard to the number of depositors and the amount of deposits. Statistics of the savings banks of the world, obtained by the Department of Commerce and Labor, show that the United States, with about 9½ per cent. of the total population considered, has more than 29 per cent. of the savings banks deposits. These institutions are for the encouragement of the practice of saving money among people of slender means and for the secure investment of savings, the profits thereof being paid as interest to the depositors.

Banks, State.—A State bank is an institution chartered by a State legislature for banking purposes. It performs similar functions to national banks. After the expiration of the charter of the Bank of the United States in 1836, and the refusal of Congress to recharter it, State banks sprang up in large numbers throughout the Union. Each State passed its own law for their government or control. In many States these laws were not carefully drawn and the holders of their circulating notes not sufficiently protected against loss from suspensions and failures. Between 1836 and 1863 there were no United States banks or national banks, and only State banks existed. Being allowed to issue notes to circulate as currency, they availed themselves of the privilege, and in many instances the privilege was much abused. By act of Congress passed March 3, 1865, all circulating notes of banks other than national banks were taxed 10 per cent. The result of this law was to speedily cause the retirement of all such notes. There are in all some 7,794 State banks at present in operation.

Banks, State:

Deposits in, should be regulated by law, III, 112, 166.

Discussed by President

Buchanan, V, 437.

Cleveland, IX, 554.

Jackson, III, 250.

Tyler, IV, 46.

Van Buren, III, 324, 331, 494, 540.

Measures should be adopted to correct unlimited creation of, IV, 46.

Number of, IX, 725.

Practicability of, commented on, III, 17, 31, III, 165.

Public deposits should be placed in, III, 17.

Order regarding, III, 30.

Paper to Cabinet concerning, III, 5.

President Jackson refuses to transmit to

Senate, III, 36.

Reference to, I, 566.

Bannock Indians:

Agreement with, for disposal of lands, VIII, 68, 192; X, 475.

Treaty with, VI, 700.

War with. (See Indian Wars.)

Baptist Church in Mississippi Territory, act for relief of, vetoed, I, 490.

Bar Harbor, Me., acts for erection of public buildings at, vetoed, VIII, 672; IX, 136.

Barbados Island, postal convention with, VIII, 792.

Barbary States.—The region on the north coast of Africa bordering on the Mediterranean Sea. It is capable of high cultivation. In early times the soil was made to yield richly. Barbary was known in ancient times as Mauritania, Numidia, Africa Propria, and Cyrenaica. It now comprises the countries of Barca, Tripoli, Fezzan, Tunis, Algeria, and Morocco. Besides Europeans, 7 distinct races inhabit the Barbary States—Berbers, Moors, Bedouins, Jews, Turks, Kuluglis, and Negroes. The population is about 11,000,000 Mohammedans and a floating population of Jews and Christians not enumerated. The language of commerce is Arabic, except in Tunis and Tripoli, where the Turkish language and government dominate.

Barbary States (see also the several States): Consuls of United States in, referred to, I, 177. Disbursements in intercourse with, I, 479.

Friendly disposition of, toward United States, I, 407, 475, 484; II, 80, 108.

Friendly intercourse with, I, 427, 518; II, 80.

Reference to, I, 333, 336, 337.

Relations with which, through unreasonable demands of Tripoli, led to a declaration of war against the United States, I, 326.

Barberick, Catherine, act granting pension to, vetoed, VIII, 821.

Barcelona, Spain, International Exposition of Labor at, discussed, VIII, 592, 814.

Baring Brothers & Co., funds of United States on deposit with, VI, 630.

Barnburners.—A title at one time given to a faction of the Democratic party in New York. The election of President Polk in 1844 resulted in a division in the Democratic party in New York. The faction supporting Van Buren and opposing the extension of slavery in the Territories was called Barnburners, while the faction which supported the views of the Administration was called Hunkers. Most of the Barnburners joined the Free Soil party in 1848, but returned to the Democratic party in 1852.

Barnes, Rachel, acts granting pension to, vetoed, VIII, 479, 701.

Barnes, William, act granting pension to, vetoed, VIII, 833.

Barnum, Walter, mentioned, X, 633.

Barnwell, R. W., commissioner from South Carolina, mentioned, V, 658.

Barrataria, Island of, pardon granted lawless inhabitants of, who aided in defense of New Orleans, I, 558.

Barron, Samuel, correspondence regarding war with Tripoli transmitted, I, 391.

Barrundia, J. Martine, seizure and killing of, on the *Acapulco* and action of American minister discussed, IX, 109.

Conduct of Commander Reiter regarding, referred to, IX, 134.

Papers regarding, transmitted, IX, 130.

Barry, John, proposed monument to, X, 854.

Barton, Clara, president American National Red Cross, work accomplished by, in Spanish-American War discussed, X, 95. (See also X, 59, 83.)

- Barton, Thomas P.**, chargé d'affaires to France: Correspondence regarding claims against France. (See France, claims against.) Request of, for passports complied with, III, 197.
- Bash, D. N.**, act for relief of, vetoed, VIII, 642.
- Bashaw, Hamet**, correspondence relating to Hamet Caramalli transmitted, I, 392.
- Bass, H. V.**, act granting pension to, vetoed, VIII, 833.
- Bataan, Province of, Ph. I.**, mentioned, X, 519.
- Batchelder, J. M.**, mentioned as a member of the commission for the revision of the Judicial Code of the reform tribunal of Egypt, VII, 612.
- Bates, Brig.-Gen. John C.**, transmitting his report in connection with the treaty effected by him with the Sultan of Sulu, X, 182.
- Baton Rouge (La.). Battle of.**—Early in May, 1862, after the fall of New Orleans, Admiral Farragut passed up the river and raised the American flag over the public buildings in Baton Rouge, the capital of Louisiana. Gen. Thomas Williams was placed in command of the place with a small garrison. Aug. 5, 1862, he was attacked by Gen. Breckenridge, who was to have been assisted by the iron-clad gun-boat *Arkansas*. The *Arkansas* exploded her boilers and failed to reach the scene of action. The Confederates were repulsed. The Union loss was 200, including Gen. Williams, who was killed.
- Battle of July 3, 1898.** (See Santiago Harbor, Cuba.)
- Battlement Mesa Forest Reserve:** Boundaries modified, XI, 981. Size reduced, X, 764.
- Batture Cases.**—Before the cession of Louisiana to the United States a man named Gravier had purchased a plantation on the Mississippi River near New Orleans. Part of it afterwards became the village of St. Mary. An alluvial deposit or river beach formed in front of the village and was used as a landing place for the citizens of St. Mary. Under the law it was a part of the Gravier estate, which was purchased by Edward Livingston, of New York, who began improving it for his own use. The people protested on the ground of an old French law giving alluvions to the government. President Jefferson dispossessed Livingston of the Batture, and the latter immediately began suit against Jefferson and the United States marshal. The Supreme Court refused to entertain the suit against the President, but decided to restore the Batture to Livingston.
- Baumer, Julius**, expulsion of, from German Empire referred to, VII, 508.
- Bavaria.**—A kingdom of southern Germany, the second in area and population of the States of the German Empire. It consists of two unequal and disconnected parts, the larger eastern and the smaller western. The country produces wheat, rye, oats, and other cereals, tobacco, potatoes, hops, flax, wine, etc. The most important manufactures are textiles, beer, machinery, iron-ware and porcelain. Its government is a constitutional hereditary monarchy, with a king, an upper house, and a chamber of 159 deputies. It made a treaty with the North German Confederation in 1870 and entered the German Empire in 1871. Area, 29,286 sq. miles; population (1900), 6,176,957.
- Bavaria** (see also Munich): Convention with, IV, 365; V, 227. Fugitive criminals, convention with, for surrender of, V, 227. Immigration treaty with, VI, 636. Naturalization treaty with, VI, 690.
- Bayard, James A., jr.**, nomination of, as director of Bank of United States declined, III, 48.
- Bayard, Thomas F.:** Ambassador to Great Britain, report relating to speeches of, transmitted, IX, 603. Secretary of State, VIII, 304. Treaty with Great Britain on subject of fisheries concluded by, VIII, 604.
- Bayard vs. Singleton.**—This is one of the earliest instances of a court passing upon the constitutionality of an act of the legislature. Suit was brought before the court of appeals of North Carolina in 1787 for the recovery of certain property that had been confiscated and sold to the defendant under an act of the legislature passed during the Revolution which authorized the confiscation of the property of aliens. Counsel for defendant moved the dismissal of the case in accordance with an act of the legislature passed in 1785, which "required the courts, in all cases where the defendant makes affidavit that he holds the disputed property under a sale from a commissioner of forfeited estates, to dismiss the case on motion." Judge Ashe refused to dismiss the case, declaring the act of the legislature "unconstitutional and void." Judgment was, however, found for the defendant on the ground that aliens can not hold land, and if they purchase it the land is forfeited to the sovereign.
- Baylor, J. R.**, act granting pension to, vetoed, VIII, 548.
- Baylor, Thomas G.**, member of Gun Foundry Board, VIII, 161.
- Bayonne Decree.**—Apr. 17, 1808, Napoleon decreed that all American vessels which should enter the ports of France, Italy, and the Hanse Towns should be seized, "because no vessels of the United States can now navigate the seas without violating the law of said States." In his attempts to subdue England Napoleon sought to destroy her commerce with all neutral powers, including the United States.
- Beach, Lansing H.**, commissioner in marking boundary between Texas and Mexico, VIII, 317.
- Beale, Edward F.**, superintendent of Indian affairs in California, accounts of, referred to, V, 425, 485.
- Bear, The.** (See Emory, W. H., X, 125.)
- Bear Flag War.**—An insurrection against the Mexican Government in June, 1846, supposed to have been instigated by John C. Frémont, then a captain of United States troops in California. A body of American settlers seized some Mexican horses and then captured the town of Sonoma. They raised a flag having on it the figure of a bear. In July, the Mexican War having begun, the Stars and Stripes were raised at Monterey, and the Bear Flag War became a factor in the American conquest of California. A battalion called the Bear Flag battalion was active in expelling the Mexicans.
- Beatty, Erkuries**, captain of infantry, nomination of, I, 63.

- Beaufort, Arthur M.**, correspondence of, on Panama X, 576-578.
- Beaufort, N. C.**, blockade of, removed by proclamation, VI, 89.
- Beaumarchais, Caron de**, claims of, against United States, I, 418, 583; II, 22, 127.
- Beaver Dam (Canada), Battle of.**—After the retreat of the American army from the Niagara River they rendezvoused near the western end of Lake Ontario. Gen. Dearborn sent Lieut. Col. Charles G. Boerstler with 540 men to capture Beaver Dam. A British lieutenant, on June 24, 1813, with 40 or 50 men, but claiming to be the advance guard of 1,500 troops and 700 Indians, demanded of him to surrender. Boerstler surrendered 542 men, one 12-pounder and one 6-pounder cannon, and a stand of colors.
- Beck, W. H.**, act granting pension to, vetoed, VIII, 439.
- Beckley, R. D.**, act for relief of, reasons for applying pocket veto to, VIII, 485.
- Bedini, Gaetano**, complimentary mission of, to United States referred to, V, 228.
- Bedloes Island**, Statue of Liberty Enlightening the World to be placed on. (See Liberty Enlightening the World.)
- Beecher, Henry Ward**, public address to be delivered by, at Fort Sumter, VII, 283.
- Beef Products.** (See Animals and Animal Products.)
- Beet Sugar.** (Agricultural Products.)
- Beezeley, Louisa C.**, act for relief of, vetoed, VIII, 446.
- Behring Sea.** (See Bering Sea.)
- Selantse-Etva Indians.** (See Minnetaree Indians.)
- Belden, S. A., & Co.**, claim of, against Mexico, V, 151.
Distribution of award in case of, referred to, VIII, 403.
- Belding, H. K.**, act for relief of, vetoed, VIII, 540.
- Belgium.**—One of the smallest of European States. It consists of the southern part of the former Kingdom of the Netherlands as created by the Congress of Vienna, and is divided into 9 provinces. Agriculture and manufactures are extensively carried on. Coal and iron are abundant and all the useful metals are wrought. Belgium is chiefly noted, however, for the fine fabrics manufactured from linen, cotton, and wool. Brussels and Tournay have large carpet manufactories, and the lace of Bruges and Brussels sometimes commands a price of \$200 per yard. The population is of a mixed German and Celtic origin. The Government is a limited monarchy, established by the revolution of 1830. The constitution was re-formed in a democratic direction in 1893. Upon the death of the present King, Leopold II, the Congo Free State will become a part of Belgium. The area of Belgium is 11,373 sq. miles, and it is the most densely populated State in Europe, having a total population (1900) of 6,693,548 or 589 persons to the square mile.
- Belgium** (see also Antwerp; Brussels):
Chargé d'affaires to, recommended, II, 567.
Claims of United States against, III, 237.
Commercial relations with, IV, 340.
Consular convention with, VI, 690, 695; VII, 43, 587, 609.
Consuls of, in United States, exequaturs to, revoked, VI, 219.
- Convention with, for regulating right of inheriting and acquiring property, V, 161; VIII, 235, 254, 277.
Convention with, on slave trade, X, 138.
Convention with, regarding Scheldt dues, VI, 194.
Copyright privilege extended, IX, 147.
Referred to, IX, 190.
Difference of France and, with Venezuela, IX, 638.
Fugitive criminals, convention with, for surrender of, V, 188; VII, 170, 262, 293; VIII, 108, 128.
Imports of American products to, restrictions upon, discussed, IX, 524; X, 100, 138.
Decrees regarding, referred to, IX, 668.
King of, arbiter in cases of the *Georgiana* and *Lizzie Thompson*, VI, 152.
Loan contracted by United States with Antwerp, I, 128.
Monetary convention of Latin Union, adhesion to, declared by, VIII, 372.
Naturalization treaty with, VI, 694.
Postal convention with, VI, 577, 685; VII, 240.
Trade-marks, treaty with, regarding, VIII, 212, 235; X, 200.
Treaty with, transmitted and discussed by President—
Arthur, VIII, 108, 128.
Buchanan, V, 532.
Fillmore, V, 161, 168.
Grant, VII, 170, 262, 293, 321, 342.
Jackson, II, 633.
Johnson, VI, 695.
Lincoln, VI, 194, 258.
Polk, IV, 422, 629.
Van Buren, III, 604, 622.
Approbation of Belgian Chambers not received, IV, 79.
Delay in exchange of ratifications, III, 25; IV, 151.
Disavowal of, by Belgium discussed, III, 98.
Termination of, referred to, VII, 288.
- Bell, Henry H.**, thanks of Congress to, recommended, VI, 76.
- Bell, P. Hansboro**, mentioned, V, 73.
- Belligerent Rights.**—Rights granted by neutral governments to nations at war with each other, as distinguished from the unrecognizable rebellious subjects of a friendly power. Belligerent rights were accorded the Confederate States by Great Britain in a proclamation by the Queen recognizing the existence of war between the United States and the Confederate States and the right of each to exercise belligerent powers on the ocean, but not recognizing the national independence of the latter. It also enjoined neutrality upon British subjects. Such recognition of rights was also made by France and other leading commercial powers of Europe and by Brazil.
- Belligerent Rights:**
Accordance of, to Cuban insurgents deemed unwise by President—
Cleveland, IX, 636, 719.
Grant, VII, 31, 64, 338.
McKinley, X, 33.
Accorded Confederate States by foreign powers discussed, VI, 58, 126, 367.
Recognition and aid of foreign powers invoked by Confederate States, VI, 20, 45.
- Belmont (Mo.), Battle of.**—Nov. 1, 1861, Gen. Grant, who had been in command of posts in eastern Missouri and southern Illinois under Frémont, had a force of 20,000 men at Cairo.

Belmont, (Mo.), Battle of—Continued.

A Confederate force under Gen. Polk held Columbus, Ky., on the east bank of the Mississippi River. This position commanded the navigation of the river, and was eventually made very strong, being defended by more than 120 heavy guns. On the Missouri bank opposite Columbus the Confederates had established a camp at Belmont, under Gen. Pillow. Grant learned that reinforcements were to be sent by way of this camp in November to join Price. He thereupon left Cairo and, sending a force to occupy Paducah, Ky., conveyed 3,000 men down the river in transports, accompanied by gunboats, to attack Belmont. The battle was fought Nov. 7, 1861. Few of the men had been under fire before. Grant's men took the camp, but were compelled to abandon it and return to their transports. The Federal loss was 485 killed, wounded, and missing. The Confederate loss was 642, including prisoners.

Bemis Heights (N.Y.), Battles of.—Also called battles of Saratoga and Stillwater. In the autumn of 1777 the condition of Burgoyne's army in the upper Hudson Valley began to grow serious. Provisions were running short and the likelihood of effecting a junction with Howe at New York was remote. Gen. Gates had been sent by Congress to succeed Schuyler in command. The American army was daily increasing. Sept. 19 the two armies met at Bemis Heights, between Saratoga Lake and the Hudson River. An engagement took place between about 3,000 British and 2,500 Americans. Of the British about 500 were killed, wounded, or captured; the Americans lost 319. This fight, sometimes called the battle of Freeman's Farm, was not decisive, as the British held their ground. The Americans showed, however, that Burgoyne could not break through their lines. The two armies remained almost within cannon shot of each other for some three weeks. Oct. 7, Burgoyne, despairing of reinforcements, made a second attack, but was forced to retire to the heights near Saratoga. The numerical strength of the Americans was now greater than that of the British. Burgoyne was completely surrounded by Gates's army, which refused to engage him, but held him until famine forced his capitulation Oct. 17, 1777. The number of troops surrendered was 5,791, of whom 2,412 were Riedesel's Hessians. The battle of Saratoga is often treated by historians as the decisive conflict of the Revolution. Arnold, who subsequently turned traitor, was the hero of these engagements.

Ben Franklin, The. (See Butterfield, Carlos, & Co.)

Beneficence Congress at Milan, VIII, 39.

Benge, L. H., treaty with Indians negotiated by, VI, 394.

Benham, A. E. K., action of, in protecting American interests during Brazilian insurrection, IX, 541.

Benner, Henry H., pension to widow of, recommended by Secretary of War, VII, 499.

Bennett, Robert K., act granting pension to, vetoed, VIII, 544.

Bennington (Vt.), Battle of.—An important conflict of the Revolutionary War. Aug. 11, 1777, Burgoyne sent Lieut. Col. Baum with about 800 British and some Indians from Fort Edward to forage for cattle and supplies

in Vermont. On the road to Bennington they were opposed by Col. John Stark, Aug. 16, with a force of some 2,000 men, mostly militia from New Hampshire and Vermont. The engagement began about 3 o'clock in the afternoon. At the outset the Indians deserted, and the remainder of Baum's brigade was soon overcome. Col. Breyman with 500 men, who had been sent to reinforce Baum, was also defeated. The British loss was about 200 killed, and the number of prisoners taken by the Americans is variously estimated at from 550 to 900. Four pieces of artillery, 1,000 stand of arms, and many swords were also captured. The American loss was about 40 killed and as many wounded.

Bennington, The, refuge on, sought by Salvidorean insurgents discussed, IX, 529.

Benson, Egbert:

Appointed on committee—

To conduct ceremonies of administration of oath to President Washington, I, 47.

To meet President Washington, I, 45.

Commissioner of United States to determine northeastern boundary, I, 199.

Bentonville (N. C.), Battle of.—After the engagement at Averysboro Sherman's army continued its march toward Goldsboro. When near Bentonville, Mar. 18, 1865, Slocum's advance encountered the Confederates in force. Johnston had hastily collected Stewart's and Cheatham's corps, Hardee's force, and Hampton's cavalry, aggregating something like 24,000 men. The attack of the Confederates was directed mainly against the corps of Jeff. C. Davis. A strong line of battle confronted Johnston, with Mill Creek and a single bridge in his rear. Mar. 20 a general attack was made by Sherman's skirmish line. During the night Johnston retreated, as it was not his purpose to bring on with his small force a general battle with the large army of Sherman. The battle was not a distinct victory for either side.

Berard, Mary, deputy postmaster, nomination of, and reasons therefor, V, 204.

Berceau, The, allowance made for, I, 340.

Bergen, Norway, international exhibition to be held in, VI, 269.

Bering Sea, American vessels seized by Russian cruisers in, discussed, X, 111.

Bering Sea Fisheries.—In 1886 the American Government set up the claim that Bering Sea was *mare clausum*, and claimed jurisdiction over the eastern half of it. In July, 1889, the British Columbian sealer *Black Diamond* was seized for trespassing. Russia pretended to grant such rights when ceding Alaska in 1867, though in 1822 the United States had disputed Russia's claim to sovereignty over the sea beyond the usual 3-mile limit of territorial jurisdiction. In consequence of this new doctrine many Canadian and American vessels were seized by a United States naval vessel for taking seal about the Pribiloff Islands and in the open sea in violation of the laws of the United States, which had leased a monopoly of seal killing to the Alaska Commercial Company (afterwards to the North American Company, in 1890). The British Government claimed damages for the Canadian vessels seized. Secretary Blaine and Sir Julian Pauncefote, the British ambassador, held many long consultations over the affair, but could arrive at no

Bering Sea Fisheries—Continued.

conclusion. After a *modus vivendi* had been agreed upon in 1891 the matter was finally left to a board of arbitration to consist of 2 members appointed by the United States, 2 by Great Britain, and 1 each by the President of France, the King of Italy, and the King of Norway and Sweden. The members appointed were, respectively, Justice John M. Harlan, of the Supreme Court, and Senator John T. Morgan; Lord Hannen and Sir John S. D. Thompson; Baron de Courcel; the Marquis Emilio Visconti-Venosta, and Gregers W. Gram. The Tribunal began its sessions at Paris March 23, 1893, and August 15 following rendered its decision denying the right of American jurisdiction outside the usual 3-mile limit. In order, however, to prevent extermination of the seals, the commission stipulated that seal fishing could be engaged in by licensed vessels only, established, a closed season for seals in those waters from May 1 to August 1 and forbade pelagic sealing within 60 miles of the Pribyloff Islands, sealing with firearms or in steam vessels. These restrictions were made binding for five years but proved wholly ineffective. Another meeting of English, American, and Canadian commissioners was held on November 18, 1897 which unanimously upheld the attitude of the United States. In addition the United States agreed to prohibit all sealing even on the Pribyloff Islands for one year. To this Canada did not agree. Finally another mixed commission met at Quebec August 1898, transferred its session to Washington, D. C. in November of the same year, and adjourned in February, 1899. It has never reassembled and the matter has remained in *status quo*. (See also Paris Tribunal of Arbitration.)

Bering Sea Fisheries (see also Fisheries):

Claims against Russia, X, 150.

Measures for prevention of extermination of seals discussed, VIII, 781; IX, 723.

Proclamations regarding, IX, 14, 98, 143, 146, 262, 394, 494, 583, 691. (See IX, 41.)

Modus vivendi

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With Russia restricting sealing in, IX, 529, 635.

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Arbitration of—

Agreed upon, IX, 181.

Proposed by Great Britain, declined by United States, IX, 110.

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Correspondence regarding, transmitted, IX, 80, 132.

Discussed by President Cleveland, IX, 526.

Tribunal of Arbitration—

Acts to give effect to award of, proclaimed, IX, 494, 691.

Award of, discussed and recommendations regarding, IX, 526, 630.

Case of United States at, prepared by John W. Foster, IX, 313.

Convention for settlement of claims under, IX, 665.

Discussed by President Cleveland, IX, 437.

Enforcement of regulations in accordance with decision of, referred to, IX, 568.

Failure of negotiations of, to protect fur seals of Alaska, IX, 750.

Reports of agents of United States to, transmitted, IX, 477.

Recommendation that President be given power to prohibit taking of seals, IX, 313.

Report on, transmitted, VIII, 811.

Berlin and Milan Decrees discussed and referred to by President—

Jefferson, I, 421, 427, 442, 444, 446, 453, 458.

Madison, I, 482, 489, 491, 518, 528, 537.

Proclamations regarding, by President Jefferson, I, 472, 481.

Berlin Decree.—An edict issued from Berlin Nov. 21, 1806, by Napoleon I. It declared a blockade of the British islands and ordered all Englishmen in countries occupied by French troops to be treated as prisoners of war. All trade in English merchandise was forbidden, and no letters in the English language were to be allowed to pass through French post-offices. No vessel directly from England or the English colonies was to be admitted into any French port, and by a later interpretation all merchandise derived from England or her colonies, by whomsoever owned, was liable to seizure, even on board neutral vessels. The decree reserved for future consideration the question whether vessels carrying English merchandise might not themselves be liable to seizure and confiscation. The object of this decree was to destroy the foreign trade of England, as well as to retaliate against the British for an order in council issued May 16, 1806, declaring a blockade of the coasts of Germany, Holland, Belgium, and France, from Brest to the Elbe, a distance of about 800 miles. No condemnations took place under the Berlin Decree. (See Embargo; Milan Decree; Orders in Council.)

Berlin Germany:

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Kongo conference at, VIII, 268, 278.

Bermuda, slaves seized on board brigs by authorities of, VIII, 280.

Berne Switzerland:

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Bernstein, Bernhard, claim of, against Russia for illegal arrest and imprisonment, VII, 208.

Berry, Robert M., relief expedition under command of, VIII, 139.

Bertholf, Ellsworth P., thanks of Congress to, recommended, X, 127.

Best, J. Milton, act for relief of, vetoed, VII, 172.

Betancourt, Gaspar A., arrest and detention of, by Spanish authorities in Cuba, IX, 750.

Betts, Samuel E., decree of, regarding Spanish vessels referred to, VI, 597.

Beziers, Capt., remuneration for saving American vessel requested by, III, 430.

Bibb, William W., letter to Gen. Jackson transmitted, II, 52.

Biddle, Charles, mentioned, V, 40.

Biddle, James, treaty with Turkey concluded by, II, 530.

Biennial Register, distribution of:

Act providing for, reasons for applying pocket veto to, VIII, 487.

Referred to, III, 566.

Big Belt Forest Reserve proclaimed, XI, 1101.

Big Bethel (Va.), Battle of.—One of the preliminary skirmishes of the Civil War. In June, 1861, Maj. Gen. B. F. Butler, of Massachusetts, was placed in command of the Federal forces in eastern Virginia. He established headquarters at Fortress Monroe and was soon in command of 10,000 men. June 9 Butler sent Brig. Gen. E. W. Peirce with a detachment of 3,500 men (composed of New York, Massachusetts, and Vermont infantry and a battery of artillery) to dislodge the Confederates at Big and Little Bethel under Gen. J. B. Magruder's command. Magruder's force (1,400) had made frequent raids upon the Federal lines. The attack, which was intended as a surprise, was made by the Union forces on the morning of June 10 and was repulsed. The Union loss was 76. Among the killed was Maj. Theodore Winthrop. The Confederate loss was 1 killed and 4 wounded. Big Bethel was the first real battle of the war.

Big Black (Miss.), Battle of.—May 17, 1863, the day after the battle of Champion Hills, Grant's army pushed on toward Vicksburg. McClelland's corps, in advance, soon came upon Pemberton's army, strongly entrenched on both sides of the Big Black River. The Confederate batteries posted on the high bluffs were carried after a sharp engagement, the Federal assault being led by Lawler's brigade. The Confederates retreated. Seventeen pieces of artillery and about 1,200 prisoners were here taken. A portion of Pemberton's outposts crossed the river on temporary bridges, which they destroyed behind them, and joined the main body of the army in the retreat into the fortifications at Vicksburg. The Federal loss was 270.

Big Horn Forest Reserve proclaimed, X, 478.

Reduced, X, 859.

Big Wichita River, exploration of, referred to, V, 364.

Bigamy. (See Mormon Church; Polygamy.)

Bill of Rights.—The earliest colonial or State declaration of American rights after the "Body of Laws" of Massachusetts, in 1640, was that which accompanied the Virginia constitution of 1776. It was based upon the English Bill of Rights of 1689. The latter was an instrument signed by William and Mary when accepting the crown of England from the Convention Parliament. It asserted the right of subjects to petition, the right of Parliament to freedom of debate, the right of electors to choose representatives freely, and other privileges. This Bill of Rights, which contained the fundamental principles of political liberty, was not extended to the colonies. Other State constitutions in defining the rights of the citizen as against the scope of the state largely followed the phraseology of this famous instrument. The National Constitution was harshly criticised on account of the omission of some such guaranty of personal rights, and might have failed of ratification had not the Federalists promised to incorporate such a set of state-

ments. The first ten amendments stand as the partial fulfillment of their promises. (See also Amendments.)

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Constitutional amendment regarding approval of separate items of bill and veto of others recommended, VII, 242; VIII, 138, 187, 253.

Duly certified and approved which had not passed, discussed, III, 134.

Effect on, of adjournment of Congress before expiration of 10 days after presentation to President discussed, VI, 599.

List of acts transmitted, VII, 9.

Bimetallic Conference. (See International Monetary Conference.)

Bimetallicism.—The use of two metals as money at relative values set by legislative enactment; the doctrine that two metals can and ought, at the same time and in the same country, to be adopted as standards of value and bear to each other a fixed ratio established by the Government. As used in this country, the term usually refers to the use of gold and silver at a fixed relative value established by law. Monometallicism is the doctrine that only one metal ought to be so used.

Bingham, D. J., act granting pension to, returned, VIII, 404.

Bingham, John A., special judge-advocate in trial of persons implicated in assassination of President Lincoln, VI, 336.

Bingham, T. A., mentioned, X, 522.

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Bishop, Nathan, member of Indian commission, VII, 23.

Bishop, William, act for relief of, vetoed, VIII, 443.

Bismarck, Prince von, instructions of, to German minister respecting Samoa transmitted, VIII, 806.

Bissell, Russell, mentioned, I, 417.

Bissell, Daniel, colonel in Army, nomination of, discussed, II, 344.

Bitter Root Forest Reserve, boundaries modified, XI, 935.

Black, Frank S., mentioned, X, 415.

Black, Jeremiah S.:

Counsel for President Johnson in impeachment proceedings, VI, 726.

Secretary of State, V, 672.

Black, Major William M., mentioned, X, 694.

Black Cockades.—A badge first worn by the American soldiers during the Revolution and later, during the hostility toward France (about 1797) occasioned by the X. Y. Z. dispatches, adopted by the Federalists as a patriotic emblem and as a rejoinder to the tricolored cockade worn by the Republicans as a mark of affection toward France. Its significance in some degree lay in the fact that it had been a part of the Continental uniform.

Black Friday.—There have been several Black Fridays. The term is often used to designate a dark financial day. In England it has special reference to Friday, Dec. 6, 1745, the day on which news came to London that the young Pretender, Charles Edward, had reached Derby; and also to Friday, May 11, 1866, which was the height of the commercial panic in London through the failure of Overend, Gurney & Co. Sept. 24, 1869, is sometimes referred to as Black Friday in the United States. On this day a syndicate of New York bankers advanced the price of gold to 162½, causing a panic. It sold at 143½ the previous evening. Another such day was Friday, Sept. 19, 1873, when Jay Cooke & Co., leading American bankers, failed. A great crash ensued in Wall Street, the center of financial operations in America, and the historic panic of 1873 began. Credit generally was impaired and many financial institutions were forced into bankruptcy.

Black Hawk War.—By a treaty signed at Prairie du Chien, Wis., July 15, 1830, the Sac and Fox Indians ceded all their lands in Illinois and Wisconsin to the United States. Black Hawk, a noted chief of the tribe, refused to abide by the treaty and made war upon the whites. He resisted the survey of the land at Rock Island, Ill., although most of the Sacs and Foxes were west of the Mississippi. In 1831 he attacked some Illinois villages, but was driven off by the militia under Gen. Gaines in June of that year. The next spring he returned with a strong force and began to massacre the whites. Gen. Scott was sent against him with a force of United States troops. Black Hawk was defeated at the Wisconsin River July 21, 1832, by a detachment of troops under Gen. Dodge, and again at Bad Axe River, Aug. 2 of the same year, by Gen. Atkinson. After these successive defeats Black Hawk was compelled to surrender.

Black Hawk War discussed, II, 603; III, 32.

Black Hills:

Emigration to, referred to, VII, 322, 352, 401.
Gold discovered in, referred to, VII, 352, 401.

Black Mesa Forest Reserve proclaimed, X, 518.

Black Rock, N. Y., works at, referred to, III, 346.

Black Rock (N. Y.), Battles of.—Lieut. Col. Bishop, with about 400 men from the British camp at Lundys Lane, crossed the Ni-

agara River July 11, 1813, and attacked the blockhouse at Black Rock, where the Americans had a considerable quantity of naval stores and ammunition. The blockhouse was in charge of Gen. Peter B. Porter, with less than a dozen artillerymen. About 300 militia and a small band of Indians were scattered about in the neighborhood. The militia fled at Bishop's approach and Porter narrowly escaped capture. On his way to Buffalo, meeting reinforcements of 100 regulars, he returned and attacked the invaders. After a short struggle the British were driven with loss to their boats. Lieut. Col. Bishop was mortally wounded. In August, 1814, Black Rock was again attacked by the British and successfully defended by the Americans. After the battle of Lundys Lane the American army retired to Fort Erie and vicinity. Gen. Drummond, having received reinforcements, went in pursuit. As a preliminary step toward attacking Fort Erie, the British general resolved to take possession of Black Rock. About 1,200 men under Lieut. Col. Tucker crossed the river on Aug. 3, 1814, and were met and driven back by 300 Americans under Lieutenants Ryan, Smith, and Armstrong. The British lost a considerable number; the American loss was slight.

Black Sea:

Navigation of, unlocked, II, 445.

Vessels of United States excluded from, discussed, II, 502.

Free passage for, secured by treaty with Turkey, II, 504, 594.

Black Warrior, The.—An American merchant vessel which was seized at Havana by Cuban customs officials Feb. 28, 1854, and with its cargo was declared confiscated. (V, 234, 245.) The proceeding aroused a bitter feeling against Spain, and a special messenger was dispatched instructing the American minister at Madrid to demand, as immediate redress, indemnification to the owners in the sum of \$300,000. The reluctance of Spain to accede led to the Ostend manifesto. Spain afterwards made compensation for the seizure (V, 336), but the incident was used as a pretext for later filibustering expeditions into Cuba.

Black Warrior, The, seizure of, by Spanish authorities discussed, V, 234, 245.

Disavowal of, by Spain, and payment of, indemnity, V, 336.

Reparation for, refused, V, 246.

Blackfeet Indian Reservation, referred to, X, 614.

Blackfeet Indians.—A savage and warlike tribe of the Siksika Confederation of the Algonquian stock of Indians, now confined to their reservation in the State of Montana. When not fighting among themselves they are generally at war with their neighbors. They formerly belonged to the Kena tribe, but separated from them and wandered up the Missouri River. The Sihasapa, an independent tribe under the leadership of John Grass, was also known as the Blackfoot or Blackfeet Indians.

Blackfeet Indians, treaty with, V, 362; VI, 700.

Blackford, William, treaty with New Granada concluded by, IV, 315.

Blackstock's (S. C.), Battle of.—In November, 1780, Gen. Sumter started for Fort Ninety-Six to attempt its capture. He was

Blackstock's (S. C.), Battle of—Continued. pursued by Col. Tarleton. A skirmish took place Nov. 20 at Blackstock's plantation, on the Tyger River, Union District, S. C. Tarleton fled, leaving nearly 200 dead and wounded upon the field. The American loss was only 3 killed and 5 wounded.

Bladensburg (Md.), Battle of.—As early as January, 1814, intelligence was received at Washington that 4,000 British troops had landed at Bermuda, destined for the United States. The British Admiral Cockburn arrived at Lynnhaven Bay, Va., in March with 1 ship, 2 frigates, and 1 brig. Early in August he was joined by Vice-Admiral Cochrane, who took command, and was later joined in the Chesapeake by 4,000 veterans of Wellington's army, under Gen. Ross. The civil government at Washington was apathetic in the face of impending danger. Washington, with its public buildings and records, was entirely unprotected. At the suggestion of Gen. Winder the President called a Cabinet council in July and proposed raising an army for the defense of the Federal capital. This comprehended a requisition on the States for militia aggregating 93,000 men. The naval defenses were intrusted to Commodore Barney, with a small flotilla of gunboats carrying 400 men. By Aug. 1 Gen. Winder, who was assigned to the defense of the capital, had 1,000 regulars and almost 4,000 militia under his command for the defense of Washington and Baltimore. The remainder of the army was on paper. The British moved up the Patuxent by land and water to Upper Marlboro. Barney destroyed his flotilla at Pig Point and crossed toward the Eastern Branch of the Potomac, forming a junction with Winder's advance, which had proceeded to Bladensburg, about 5 miles from Washington, on the post road to Baltimore. Here at noon Aug. 24, 1814, the two armies faced each other, the British, under Gen. Ross, nearly 5,000 strong, 4,000 of them seasoned by service in continental Europe, while the defenders of the capital consisted mainly of undisciplined, untried militia, many of them only 3 days from their homes. The battle lasted from about half-past 12 till 4 o'clock and resulted in the utter rout of the Americans. The British lost upward of 500 men in the engagement. The Americans had only 26 killed and 51 wounded. After this battle the invaders marched to the capital, seized it, and burned the public buildings.

Blaine, James G.:

Death of, announced and honors to be paid memory of, IX, 385.

Secretary of State, VIII, 13; IX, 15.

Correspondence regarding the *Baltimore* affair. (See *Baltimore*, The.)

Member of conference to discuss commercial relations with Canada, IX, 240, 243, 313.

Blaine, Walker, Third Assistant Secretary of State, mentioned, VIII, 107.

Blair, Frank P., jr.:

Commission of, as major-general discussed, VI, 203.

Correspondence regarding assignment of command to, VI, 206.

Letter and advice of President Lincoln as to accepting seat in Congress or remaining in command, VI, 205.

Resignation of, as major-general accepted, VI, 206.

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Blair, Frank P., sr., negotiations for and correspondence regarding restoration of peace, VI, 260.

Blair, Henry W., refusal of China to receive, as minister, IX, 186, 238, 244.

Blair, Montgomery, correspondence regarding resignation of Frank P. Blair, jr., as major-general, VI, 206.

Blakely, Johnston, British ship captured by vessel in command of, I, 549.

Blanco, Ramon, Captain-General of Cuba, directed by Spain to suspend hostilities, referred to, X, 67.

Bland, Theodorick:

Appointed on committee to meet President Washington on his embarkation from New Jersey upon the occasion of his first inauguration, I, 45.

Bland-Allison Act:

Discussed by President—

Arthur, VIII, 46, 133, 243.

Cleveland, VIII, 342, 512, 788.

Harrison, Benj., IX, 40.

Hayes, VII, 559, 616.

Vetoed by President Hayes, VII, 486.

Bland Dollar.—A name sometimes applied to the silver dollar of the United States the coinage of which began in 1878. During that year Congress passed the act providing for such coinage. A bill was introduced in the House of Representatives by Richard P. Bland, of Missouri, July 25, 1876, providing for the free and unlimited coinage of silver, which had been suspended since 1873. Mr. Bland's bill passed the House providing for free coinage, but was modified in the Senate by the Allison amendment. As the bill became a law it provided that instead of free coinage the Secretary of the Treasury should purchase each month not less than \$2,000,000 nor more than \$4,000,000 worth of silver bullion to be coined into silver dollars of 412½ grains each. President Hayes returned the bill with his veto Feb. 28, 1878 (VII, 486), but on the same day both House and Senate passed the bill over his veto. The effects of the law were discussed by the Chief Executives from time to time. (See Bland-Allison Act.) This act was repealed in 1890 by the act of Congress known as the Sherman act (q. v.).

Blatchford, Richard M., mentioned, VI, 78.

Blazer, Dolly, act granting pension to, vetoed, VIII, 676.

Blockade.—A well-defined principle of international law which secures to any nation the right in time of war to render intercourse with the enemy's ports unlawful, hazardous, or impossible on the part of neutrals. It was introduced by the Dutch about 1584. The principle recognized by European powers is that a blockade to be binding must be effective. It is carried into effect by a force of war ships, which patrol the sea outside the enemy's harbor and arrest any vessels of any power attempting to enter. Should any arrested vessel contain goods or persons contraband of war, it is condemned by a prize court and sold, the proceeds being divided among the blockading squadron. This right is incontrovertible, having its origin in the soundest principles of maritime jurisprudence, sanctioned by the practice of the

Blockade—Continued.

best nations of enlightened times. The Elbe was blockaded by Great Britain in 1803; the Baltic by Denmark in 1848-49 and in 1864; the Gulf of Finland by the Allies in 1854. At the outbreak of the Civil War in America the Confederate government required every English vessel that entered its ports to bring arms and ammunition as part of its cargo. Plymouth, Newbern, Wilmington, and other North Carolina ports were much used by these vessels, as also the port of Charleston, S. C. United States cruisers blockaded these ports, and under the established rules of international law seized, searched, and confiscated foreign vessels attempting to run the blockade, as well as enemy's ships in transit. At the commencement of the Spanish-American War in 1898 the United States maintained a strict blockade of Cuban ports for several weeks under the direction of Acting Rear-Admiral Sampson, which finally resulted in the battle of July 3, when the American squadron under the immediate command of Commodore Schley entirely destroyed the Spanish fleet under Admiral Cervera. In the Russo-Japanese War (see Japan), the Japanese maintained a strict blockade of Port Arthur from February 10, 1904, when the first attack was made, until the fall of the city, January 2, 1905.

Blockades :

Correspondence regarding, referred to, VI, 58.

During War of 1812 discussed, I, 501.

Established by—

Portugal, claims of United States growing out of, II, 535, 550; III, 24.

Spain, claims of United States growing out of, II, 549.

In order to be binding, must be effective, V, 412.

Maximilian's decrees declaring, proclaimed void, VI, 433.

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Of Mexican ports, and effect of, on United States, III, 488, 516.

Of Southern ports proclaimed, VI, 14, 15, 280.

Claims of foreign powers arising out of, discussed, VI, 127.

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From certain ports, or relaxed in the South in the interests of trade and commerce, both home and foreign, VI, 89, 171, 216, 230, 281, 309.

Of Spanish Main referred to, II, 207.

Of Tripoli, questions between United States and Tunis growing out of, I, 400, 401.

Bloody Shirt.—A term used to describe the utterances of impassioned speakers and writers who after the close of the Civil War endeavored to revive its memories and to agitate the minds of their hearers for political effect. Reviving war animosities was said to be waving the bloody shirt.

Blount, James H., special commissioner to Hawaiian Islands, report of, discussed, IX, 441, 460.

Blow, Henry T., dispatch from, relative to commercial interests with South America transmitted, VII, 60.

Blue Book. (See Biennial Register.)

Blue Laws.—A name applied to the early laws of some of the American Colonies. The general court of New Haven, Conn., in April, 1644, ordered that the "judicial laws of God as they were delivered to Moses" should be binding on all offenders and a rule to all the courts of the jurisdiction "till they be branched out into particulars hereafter." New Haven's criminal code was developed along these lines. It is doubtful, however, if some of the rigid rules of conduct often quoted as Blue Laws were ever enforced. Some of them are as follows: "No one shall run on the Sabbath day, or walk in his garden or elsewhere, except reverently to and from meeting." "No woman shall kiss her child on the Sabbath or fasting day." "No one shall read common prayer, keep Christmas or saints' days, make minced pies, dance, play cards, or play on any instrument of music except the drum, trumpet, and jewsharp." As early as 1649 a law of Massachusetts provided for the prohibition of labor, play, or travel on the Lord's Day, beginning on Saturday evening. The "Duke's Laws" of New York also forbade the profanation of the day by travel or labor. The Pennsylvania laws of 1682 forbade labor. Those of South Carolina in 1684 forbade profanation of the Sabbath. Virginia in 1692 forbade travel or profanation. Remnants of these laws still survive in State legislation.

Blue Licks (Ky.), Battle of.—Aug. 19, 1782, a body of 182 Kentucky pioneers were drawn into an ambushade at Blue Licks, Nicholas County, Ky., by Indians under Simon Girty. The settlers were defeated with the loss of 62, including a son of Daniel Boone.

Blue Lights.—During the summer and autumn of 1813, while the British commander, Sir Thomas Hardy, with his fleet, had the port of New London, Conn., blockaded, Commodore Decatur made several futile attempts to escape therefrom with his fleet, consisting of the frigates *United States* and *Macedonian* and the sloop-of-war *Hornet*. Decatur claimed that his failure was due to the fact that blue signal lights were flashed from the shore toward the British. The friends of the British and the opponents of the war became known as Blue-Light Federalists.

Bluefields. (See Mosquito Indian Strip.)

Blumer, Eliza Jane, act granting pension to, vetoed, VII, 384.

Board of Health. (See National Board of Health.)

Board of Trade and Plantations.—In 1660 Charles II established two separate councils, one for trade and the other for foreign plantations. For a time these were united (from 1672 to 1675). The charter of Rhode Island and Providence Plantations was secured from Charles II, July 8, 1663, by John Clarke, who acted as agent for the Colony. This charter continued in force 180 years. In 1695 the Board of Trade and Plantations was established and given charge of the English Colonies in America. In 1768 a secretary of state for America was established, and the duties of the board having been transferred to him, the board was abolished in 1782.

Board of War. (See War, Board of.)

Boats. (See Vessels.)

- Boca del Toro, United States of Colombia,** vessels from, tonnage duty on, suspended, VIII, 310.
- Body of Liberties.**—A bill of rights consisting of a code of 100 fundamental laws setting forth the sacredness of life, liberty, property, and reputation. The Body of Liberties was compiled by Nathaniel Ward, pastor of the church at Ipswich, Mass., from drafts submitted. A copy of these laws was sent to every town within the jurisdiction of Massachusetts, to be first considered by the magistrates and elders, and then to be published by the constables, "that if any man saw anything to be altered he might communicate his thoughts to some of the deputies." In December, 1641, the General Court of Massachusetts adopted this fundamental code as the basis of common law, there having been up to that time no written law in the Colony.
- Boer War,** attitude of the United States in, X, 146, 182, 204.
- Boggs, Charles S.,** thanks of Congress to, recommended, VI, 76.
- Bogy, Lewis V.,** mentioned, VI, 521.
- Bohemia Manor.**—A tract of 5,000 acres of land in Maryland, along the Elk River, granted by Lord Baltimore in 1666 to a Bohemian surveyor named Augustine Herman. Herman obtained papers of denization and was naturalized with his family under the first act of the kind that passed in the Province.
- Boilers.** (See Steam Boilers.)
- Boise City, Idaho,** mentioned, X, 594.
- Bolivar, Simon:**
Centennial celebration of birth of, at Caracas, referred to, VIII, 129, 173.
Delivered from assassins, medal offered President Jackson in commemoration of, declined, II, 466.
- Bolivia.**—A Republic in the western part of South America, named from Simon Bolivar. It is bounded on the north and east by Brazil, on the south by Argentina and Paraguay, and on the west by Chile and Peru. Bolivia, though entirely within the tropical zone, boasts all the climates of the world, each with its peculiar vegetation. The country is remarkable for its mineral products. The silver mines of Potosi, after having produced \$3,000,000,000, are still considered inexhaustible, while gold, lead, tin, salt, sulphur, niter, and copper are abundant. Bolivia was formerly a Spanish possession. It became independent in 1825 and united with Peru from 1836 to 1839. The country consists of 10 departments and territories, governed by a President and two Houses of Congress, with a constitution modeled after that of the United States. Revolutions have frequently occurred. From 1879 to 1883 Bolivia and Peru were united in a war against Chile. The result was disastrous to the allies, and Chile became possessed of all the western seacoast, including the niter districts of Bolivia. The area of the Republic is 703,400 sq. miles and, according to the census of 1900, the population is 1,633,610, but an official estimate of persons not included in the census and of Indians brings the total up to 1,816,271. The capital is La Paz. A treaty of peace, friendship, commerce, and navigation was concluded with the United States May 13, 1858, in which the rights of neutrals were clearly outlined (V, 580).
- Bolivia** (see also Peru-Bolivian Confederation):
Controversy with Chile referred to, VI, 209.
Diplomatic relations with, IX, 33; X, 139.
Resumed, VII, 497, 610.
Insurrection in, discussed, X, 139.
Treaty with, V, 580.
Ratification of amendments to, recommendation regarding, VI, 59.
War between Chile, Peru, and, VII, 570, 611; VIII, 41, 130.
Claims of United States arising out of, VIII, 328, 498, 784; IX, 109.
Conditions of peace presented by Chile discussed, VII, 75, 130, 173.
Efforts of United States to bring about peace discussed, VII, 570, 611, 630; VIII, 75, 130.
Negotiations for restoration of peace, VIII, 89.
Terminated, VIII, 235; X, 139.
Treaty of peace discussed, VIII, 173.
- Bollman, Erick,** crimes charged against, I, 417.
- Bollman Case.**—An important Supreme Court case in which treason is defined and the authority of the Supreme Court to issue writs of *habeas corpus ad subjiciendum* is maintained. Bollman was charged with being implicated in a treasonable attempt to levy war upon the United States, in that he had joined Aaron Burr in a scheme to establish an independent state in the Southwest in 1805. It was decided that a mere conspiracy to subvert the Government by force is not treason, an actual levying of war being necessary. The court held that the crime with which the prisoners Bollman and Swartwout stood charged had not been committed, and they were discharged.
- Bonaparte, Charles J.,** mentioned, X, 715.
- Bonds of United States** (see also Debt, Public; Loans):
Authority vested in Secretary of Treasury to issue, recommendations regarding, IX, 445.
Discussed. (See Debt, Public, discussed.)
Issuance of, discussed and recommendations regarding, IX, 445, 553, 561, 567, 642, 644, 645, 743.
Purchase of, with Treasury surplus recommended, VII, 31.
- Bonhomme Richard, The.**—An old East India merchantman fitted up as a man-of-war by the French at L'Orient in 1779. It was one of five fitted out by the French at the suggestion of Benjamin Franklin, and christened in his honor *Bonhomme Richard*, or *Good-Man Richard*. She was commanded by John Paul Jones, an American officer, and carried American colors. She was accompanied by two French vessels. They attempted to enter the harbor of Leith, Scotland, but storms prevented. Off Flamborough Head, Sept. 23, 1779, the fleet encountered a British merchant fleet convoyed by the *Serapis* and *Countess of Scarborough*. The larger war ship, the *Serapis*, though much superior in every respect to the *Bonhomme Richard*, was fiercely attacked by the latter. The conflict took place by moonlight, in the presence of thousands of spectators. Jones lashed the *Serapis's* bowsprit to the *Richard's* mizzenmast and raked her deck with musketry. Broadside answered broadside in one of the most stubbornly contested battles in the history of naval warfare. The engagement lasted 3

Bonhomme Richard, The—Continued.

hours. Finally a bucketful of hand grenades thrown down the hatchway of the *Serapis* caused her commander to surrender. Jones transferred his crew to the conquered ship, and the *Bonhomme Richard* sank in a few hours.

Bonus Bill.—A bill introduced by John C. Calhoun Dec. 23, 1816, appropriating \$1,500,000 for constructing roads and canals and improving the navigation of water courses. The bill was called the bonus bill. The intention was that the first work done under the appropriation should be the construction of a canal between Albany and the Lakes. The bill was strongly supported by New York and the South, and passed Congress, but was vetoed by President Madison, who held that the General Government could not give aid to internal improvements without a constitutional amendment (I, 584).

Boon, Clark, act increasing pension of, vetoed, VIII, 451.

Boone, William, act granting pension to, vetoed, VIII, 456.

Boonville (Mo.), Battle of.—When President Lincoln's call for troops, Apr. 15, 1861, reached Governor Jackson, of Missouri, he refused to furnish the 4 regiments forming the quota of the State. Francis P. Blair, jr., had, however, organized, under the military command of Nathaniel Lyon, 5 regiments, and these were mustered in immediately, Lyon being made brigadier-general. When another Missouri brigade had been formed, May 8, Lyon was put in command of the department. Meantime Governor Jackson ordered the State militia to camp at St. Louis. May 10 Gen. Lyon surrounded the camp, and on its surrender by Gen. Frost paroled the men, 700 in number. June 15 he occupied Jefferson City, the governor fleeing to Boonville. Lyon followed. On June 17 he dispersed the State troops collected there.

Booth, John Wilkes, persons claiming reward for apprehension of, directed to file claims, VI, 353.

Bootleggers, misdeeds of, XI, 1172.

Border States.—A designation for the several slave States of Delaware, Maryland, Virginia, Kentucky, and Missouri, lying next to the free States, and sometimes including Arkansas, North Carolina, and Tennessee. Many people of these States were anxious, both during and before the Civil War, for an amicable adjustment of the slavery question. They originated the Peace Conference of 1861.

Borneo.—A large island in the Malay Archipelago. It is situated in the Indian Archipelago, bounded on the east by the Sea of Celebes and the Macassar Strait, on the south by the Sea of Java, and on the west and north by the China Sea, and was first visited by the Portuguese in 1518. Borneo has an area of about 285,000 sq. miles and a population of 1,750,000. Two chains of mountains traverse the island in a nearly parallel direction from northeast to southwest. Vegetation grows luxuriantly and choice woods and spices are exported. The mineral wealth is great, gold, antimony, salt, petroleum, tin, copper, iron and coal exist, but are not, as yet, largely worked. The inhabitants are Dyaks, Malays, Negritos, Bugis, and Chinese. The greater por-

tion of the island, comprising the southern, central and eastern sections, is a Dutch colony; the dominions of the rajahs of Brunei and Sarawak and the territory of the British North Borneo Company, all of which are under the protection of Great Britain, lie to the west and north. A commercial treaty was concluded between the United States and Borneo in 1850.

Borneo, treaty with, V, 152.

Bosphorus, The, restrictions on passage of Straits of the Dardanelles and, by ships of other nations, VII, 124.

Boston:

Execution of laws for return of fugitive slaves forcibly resisted in, V, 101.

Proclamation regarding, V, 109.

Reference to, V, 137.

Fire in, referred to by President Grant, VII, 184.

Industrial exposition at, discussed, VIII, 186.

Navy-yard at, referred to, VIII, 89.

Title of United States to land occupied as, referred to, VIII, 111.

Unlawful assemblages in, and proclamation against and authorization to employ force in suppressing, V, 101, 109.

Boston, The, mentioned, X, 72, 142.

Boston Case.—The case of a fugitive slave who escaped from his owner in Georgia and took passage on the *Boston*, a vessel bound for the coast of Maine. The governor of Georgia charged the captain of the ship with stealing the slave and demanded that the governor of Maine restore the fugitive. This was refused. The legislature of Georgia then called upon Congress to pass a law compelling the governor of Maine to comply with such demand. No action was taken by Congress.

Boston, Evacuation of.—During the winter of 1776 Washington, having received some ordnance captured at Ticonderoga and a supply of ammunition taken by privateers at sea, determined to attack Boston, then occupied by the British. In pursuance of this plan he occupied Nooks Hill (an eminence at the extremity of Dorchester Neck) and Dorchester Heights, which commanded Nooks Hill and the town itself. On the night of Mar. 4, 1776, the heights were covered with breastworks, and the British were forced to risk a general action to dislodge them or abandon the town. They chose the latter alternative, and on Mar. 17 the town and harbor were evacuated by the British army and navy without firing a gun.

Boston Fire referred to, VII, 184.

Boston Massacre.—The British navigation acts were a source of great annoyance and loss to the American colonists, and their execution was resisted at all points. Great Britain attempted to coerce the people into a compliance with the laws by sending Gen. Gage with 3 regiments to Boston in 1768. The presence of the troops further aggravated the people of Boston. During 1769 and the early part of 1770 numerous quarrels occurred between the citizens of Boston and British soldiers charged with the enforcement of the laws. In February, 1770, a press gang from the British frigate *Rose* boarded a ship belonging to a Mr. Hooper, of Marblehead, whereupon a riot ensued. On the night of Mar. 5 following a large crowd responded to the ringing of the fire

Boston Massacre—Continued.

bells and came into collision with the soldiers. The latter fired, killing 3 persons and wounding several others. The soldiers were tried and acquitted, but the news of the Boston massacre spread rapidly and did much to strengthen the spirit of revolution among the people.

Boston Port Act.—An act of Parliament introduced by Lord North and passed Mar. 7, 1774, in retaliation for the destruction of cargoes of tea in Boston Harbor. It provided for the discontinuance of landing and discharging, loading, or shipping of merchandise to or from the city of Boston or in Boston Harbor. Commerce was transferred to Salem and Marblehead, and Gen. Gage arrived in Boston June 1, 1774, to enforce the law. The Boston people were indignant. Much sympathy was expressed for them throughout the Colonies. In many places people refused to buy British goods. Oct. 20, 1774, the American Association was formed, pledging the members to nonconsumption and nonintercourse with Great Britain, Ireland, and the British West Indies. The association included 52 members of the Continental Congress.

Boston Tea Party.—In 1767 Great Britain imposed a duty on tea sold in the American Colonies. The East India Company prevailed upon the ministry in 1773 to amend the act so as to relieve the company from paying the duty, thereby forcing the consumers to pay it. The colonists were indignant at this transfer of the tax from the company to themselves, and adopted various methods to evade payment. Nov. 28, 1773, a ship arrived in Boston Harbor carrying 114 chests of tea, and early in December two others arrived. On the evening of Dec. 16 an enthusiastic meeting of citizens was held at Faneuil Hall, and at its close between 50 and 60 men disguised as Indians took possession of the 3 ships and threw overboard the cargoes of tea, amounting in all to 342 chests. Seventeen chests were also destroyed in New York Harbor about the same time. These events resulted in the passage of the Boston Port Act (q. v.) and were an important part of the train of causes of the American Revolution.

Boston, U. S. S., mentioned, X, 584, 585, 587, 589, 687, 688.

Boudinot, Elias:

Appointed on committee to meet President Washington, I, 45.

Invites President Washington to meet committee at his home, I, 46.

Director of Mint, report of, transmitted, I, 313, 315.

Boundaries.—The colonial boundaries of the United States were indefinite and often the subject of much dispute. The grants of territory in America were made by European rulers, who were careless or ignorant of the geography of the country. The Wyoming dispute between Connecticut and Pennsylvania, and the Western Reserve of the former in Ohio, are in evidence of the interminable wrangles created by these royal grants. The boundaries of the United States were agreed upon in 1783 at the treaty of Versailles. Congress then took up the question of the border lines between States and provided an elaborate mode of

procedure, modeled after the Grenville Act of Great Britain. Since 1789 such cases, as well as all other matters between States have been under the jurisdiction of the Supreme Court. In 1783 the northeast boundary of the United States was defined as extending from the source of the St. Croix River due north to the watershed between the St. Lawrence and the Atlantic, thence along the watershed to the northwesternmost head of the Connecticut River. After long and irritating disputes over the line, the Webster-Ashburton treaty was negotiated in 1842, fixing the boundary between the United States and British possessions on the present lines. The territory bounded on the north by latitude 54° 40', on the east by the Rocky Mountains, on the south by latitude 42°, and on the west by the Pacific Ocean has been variously claimed by Russia, Spain, Great Britain, and the United States. By treaty with Russia Jan. 11, 1825, the United States were to make no settlements north of 54° 40' and Russia none south of that line. By the treaty which ceded Florida in 1819 Spain relinquished all claims to anything north of latitude 42°. Though Great Britain had little claim to the territory, joint occupation was agreed upon by the treaty of Oct. 20, 1818, and this becoming unsatisfactory Great Britain was induced in 1846 to accept latitude 49° as the boundary between her possessions and the United States from the Rocky Mountains to the channel between Vancouver Island and the mainland. (For boundary disputes after 1846, see articles on Alaska Boundary; Gadsden Treaty, and Mexican War.)

Bounty. (See Sugar Bounty.)

Bounty Lands. (See Lands, Bounty.)

Boutwell, E. B., report on operations of the *John Adams*, under command of, transmitted, V, 376.

Bowell, MacKenzie, member of reciprocal-trade conference between United States and Canada, IX, 240.

Bowen, Henry, correspondence regarding Dorr's Rebellion, IV, 292.

Bowers, C. F., act for relief of:

Reasons for applying pocket veto to, VIII, 486.

Returned, IX, 73.

Bowlin, Mr., mentioned, VI, 70.

Boxers.—The name popularly given to the Chinese anti-foreign secret society, *Ih-hwo-Ch'uan*, "Volunteer United Fists," who are largely responsible for the disturbances in that country in 1900. Excited by the progress of European civilization and Christianity in China they caused anti-foreign riots in various parts of the empire and massacred many missionaries, native converts and European merchants. On June 20th, they murdered the German minister, Baron Ketteler, and being joined by the Imperial troops besieged the foreigners and foreign ministers in the British legation in Peking until August 13th, when the siege was raised by a relief expedition from the allied fleets—Japanese, Russian, British, American and French. On May 29, 1901, China agreed to pay to the injured Powers, Austria-Hungary, Belgium, France, Germany, Great Britain, Italy, Japan, The Netherlands, Russia, and the United States, an indemnity amounting to 450,000,000 taels

Boxers—Continued.

(\$333,000,000) for injuries inflicted by the Boxers. This indemnity is to constitute a gold debt re-payable in thirty-nine annual installments, due on January 1st of each year up to 1941, interest at 4 per cent. to be payable half-yearly. The securities for the debt are the Imperial Maritime Customs, otherwise unappropriated, increased to 5 per cent. *ad valorem*, the Navy Customs, and the Salt Tax otherwise unappropriated.

Boyd, Fredrico, correspondence of, on Panama, X, 574, 575.

Boynton, Michael P., imprisonment of, by authorities of Great Britain, VIII, 12.

Boynton, Richard M., letter of Harriet M. Fisher and, to Secretary of Navy, transmitted, VI, 471.

Brace, Charles L., imprisonment of, by Austrian authorities referred to, V, 153.

Bradford, T. C., mentioned, V, 527.

Bradley, Mr., commissioner to investigate affairs of New York custom-house, IV, 152.

Bradley, Sallie A., act granting pension to, vetoed, VIII, 479.

Bradshaw, W. S., act granting pension to, vetoed, VIII, 731.

Brady, James T., investigations of, at New Orleans referred to, VI, 385.

Brakes and Couplers, legislation for increased safety in use of recommended, IX, 51, 126, 207, 331.

Branch, D. B., act granting pension to, vetoed, VIII, 421.

Brandy Station, or Fleetwood (Va.), Battle of.—After the battle of Chancellorsville Hooker's army remained inactive on the north side of the Rappahannock for about a month. June 9, 1863, two divisions of cavalry, supported by 2 brigades of infantry, were sent across the river to reconnoiter the Confederate position. Gen. Pleasanton was in charge of the expedition and the cavalry was commanded by Generals Buford and Gregg. They were driven back after the loss of 500 men in one of the most important cavalry fights of the Civil War. The only practical result of the expedition was the discovery that Lee's infantry was moving north by way of Culpeper. Here also, on Aug. 1, Gen. Buford with his division of cavalry met the Confederate General Stuart and compelled him to retreat until reinforced, when Buford in turn retreated. Between Oct. 10 and 16 desultory fighting with both cavalry and infantry occurred in the vicinity of Brandy Station.

Brandywine (Pa.), Battle of.—In the latter part of May, 1777, Washington left Morristown, N. J., where he had been in winter quarters, and took up a strong position behind the Raritan. Howe left his quarters at New Brunswick and embarked his troops for Philadelphia, landing about 18,000 men at Elk Ferry, 50 miles from the city, Aug. 25. Washington, having been joined by Lafayette, De Kalb, and Pulaski, drew near to defend the city. The nominal strength of the American army was 14,000 men, though only 11,000 were considered effective. Howe's advance was slow, and it was not until Sept. 11 that he encountered the Americans at Chadds Ford, on Brandywine Creek, about 30 miles southwest of Philadelphia. In the battle which occurred that day the British gained a clear victory through

a successful flank movement executed by Cornwallis. The American loss was about 1,000 killed, wounded, and missing, while that of the British was somewhat more.

Brant, Joshua B., court of inquiry in case of, referred to, III, 560.

Brazil.—The most extensive and populous of the South American Republics. It is bounded on the north by the Atlantic Ocean, Guiana, and Venezuela; on the east and southeast by the Atlantic, and on the west and southwest by Uruguay, Paraguay, Argentina, Bolivia, Peru, Ecuador, and Colombia. Every country in South America except Chile borders on Brazil. It extends from lat. 5° to 33° 45' south and from long. 35° to 74° west. Area, 3,218,130 sq. miles; population (1890), 14,333,915. Gold, diamonds, iron, and salt are mined. By far the most important agricultural product is coffee, of which much the larger part of all that the world consumes is produced in Brazil. Sugar and tobacco are also largely exported, and also hides, horns, tallow, rubber, cotton, cocoa, drugs, and dyes. Brazil was settled by the Portuguese about 1530. During its subsequent history in connection with the mother country it became subject to both Spain and Holland. Under pressure of the French invasion of Portugal in 1808 the Portuguese monarch was virtually transferred to Brazil for some years. In 1815 it was declared a kingdom, under the royal house of Portugal. May 13, 1822, a national congress, assembled at Rio Janeiro, chose Dom Pedro, eldest son of King Joao, of Portugal to be Perpetual Defender of the Kingdom. Sept. 7 following he proclaimed the independence of the country, and Dec. 1 he was crowned as Constitutional Emperor and Perpetual Defender. Apr. 7, 1831, he abdicated the throne in favor of his son, Dom Pedro II, who was dethroned Nov. 15, 1889, and a Republic proclaimed under President Fonseca in 1891. Fonseca was succeeded the same year by Peixoto as President. In 1894 Moraes was elected President, in 1898 Dr. Campos Salles succeeded him, and was succeeded in turn by Dr. Alves in 1902. The Republic of Brazil contains 20 States and the federal district of Rio. The government is vested in a President and Congress consisting of a Senate of 63 members and a Chamber of 212 deputies.

Brazil:

Blockade by naval forces of, referred to, II, 404.

Boundary question with Argentine Republic submitted to President of United States, IX, 435, 626.

With Bolivia, X, 201.

Chargé d'affaires received from, II, 251.

Correspondence with, referred to, IV, 580.

Claims of United States against, II, 363, 385, 396, 446, 552; III, 26, 377; IV, 80, 198; V, 519; VI, 701; VII, 266.

Convention for satisfaction of, negotiated, V, 15, 24, 30, 82.

Payment of, II, 446; III, 26; IV, 263; V, 82. Commercial relations with, V, 518; VII, 124; VIII, 42; IX, 135, 228.

Commission of United States sent to, II, 386.

Convention with, referred to, V, 145.

Cotton culture in, VII, 124.

Disturbances in, II, 595; IV, 198.

Duties on American goods reduced, II, 402.

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- Imprisonment of American citizens in, II, 404; V, 246.
- Mail steamship service between United States and, VI, 367, 388.
- Minister of, to United States received, V, 15; VIII, 131.
- Minister of United States in, official functions of, terminated, II, 385.
- Phosphates discovered on coast of, VIII, 208.
- Political disturbances in, discussed, IX, 182.
- Relations with, IV, 549; X, 139.
- Action of American commander in saluting revolted Brazilian admiral disavowed, IX, 435.
- Policy of United States regarding, IX, 37, 435, 524.
- Questions with Portugal respecting escape of insurgent Admiral Da Gama, IX, 524.
- Republican form of government established and recognition of, by United States, IX, 108.
- Slavery in, VII, 146.
- Abolished, VIII, 784.
- Tariff laws of, evidence of modifications of, proclaimed, IX, 141.
- Notice of intention of Brazil to terminate, discussed, IX, 524.
- Referred to, IX, 180, 312.
- Trade-marks, treaty with, regarding, VII, 508.
- Treaty with, II, 430.
- Obligations of, to cease, III, 605.
- Reference to, II, 446.
- Vessels of—
 - Discriminating duties on, suspended by proclamation, IV, 522.
 - United States seized or interfered with by, II, 396; V, 246. (See also *Caroline*, The.)
- War with—
 - Buenos Ayres—
 - Peace concluded, II, 411.
 - Questions between United States and Brazil growing out of, II, 363, 385.
 - Paraguay, VII, 124.
 - Good offices of United States tendered, VI, 578, 685.
- Brazil Steamship Co.** referred to, IX, 199.
- Brazito (Mexico), Battle of.**—In June, 1846, the Army of the West was organized at Fort Leavenworth, on the Missouri. It consisted of 1,658 men and 16 pieces of ordnance, under command of Col. Phil. Kearny, of the First United States Dragoons. He was ordered to proceed to New Mexico and take possession of Santa Fé and proclaim the entire Territory to be under the jurisdiction of the United States. His orders were later amended to include California. In 50 days the army marched 883 miles, and on Aug. 18, 1846, the American flag was floating over the citadel at Santa Fé. Not a blow had been struck. After establishing a civil government at Santa Fé, Kearny started for California Sept. 25 with 300 United States dragoons and a small corps of topographical engineers. The main supply train and 200 dragoons were left at Albuquerque. Col. Doniphan, with his own regiment and Weightman's battery of artillery, was ordered to proceed southward and join Wool in Chihuahua. The whole force under Doniphan consisted of 856 effective men. Dec. 25, 1846, the advance of 500 men halted at the Brazito, an arm of the Rio Grande. Here they were surprised by Gen. Ponce de Leon with 1,220 Mexicans, of whom 537 were well mounted and equipped. The assailants were utterly routed, with heavy loss, including Gen. Ponce de Leon, while the American loss was only 7 men wounded.
- Brazos River**, explorations of, referred to, V, 364.
- Brazos Santiago, Tex.**, commerce of district of, referred to, V, 74.
- Bread Riots.**—During a period of general financial depression in 1837 the poor of New York held frequent riotous meetings, which culminated in violent assaults upon flour warehouses. Employment was meager, rents were exorbitant, and flour was \$12 per barrel. In many instances stores were broken open and pillaged by the mobs. The rioters were suppressed by the militia.
- Breadstuffs**, importation of, into foreign countries, and rates of duty on, IX, 68.
- Breakwaters**, expenditures on, referred to, II, 563.
- Breese, K. Randolph**, thanks of Congress to, recommended, VI, 76.
- Bremen:**
 - Ministers of, received by United States, II, 383.
 - Postal arrangements with, discussed, IV, 562.
 - Treaty with, II, 422, 425; V, 150.
 - Vessels of—
 - Application for rights regarding, II, 52.
 - Discriminating duties on, suspended, II, 37.
- Brent, Charles J.**, refusal of Great Britain to surrender other fugitives and, discussed, VII, 372, 415.
- Brevet Commissions.** (See Army.)
- Brewer, David J.**, arbitrator in Venezuelan boundary dispute, X, 113.
- Brewer, Judge**, opinion of, in Great Falls land case referred to, V, 541.
- Brewster, Benjamin E.**, mentioned, VI, 74.
- Bribery:**
 - Proposal to class campaign contributions by corporations as, XI, 1148.
 - Proposed extraditorial offense, X, 643.
 - Severer laws advocated, X, 825.
- Brida, Demetrio S.**, mayor of Panama, X, 574.
- Bridges:**
 - Construction of, over navigable waters, recommendations regarding, VII, 349.
 - Referred to, II, 608; III, 38.
- Bridgewater, The**, correspondence regarding case of, transmitted, VIII, 811.
- Brier Creek (Ga.), Battle of.**—Mar. 3, 1779, Gen. Lincoln sent a detachment of his army, consisting of 1,500 North Carolina militia and some Georgia Continentals under Gen. Ashe, to the junction of Brier Creek with the Savannah River. In this position they were attacked by Lieut. Col. Prevost with some 2,000 men and completely routed. Gen. Elbert, Col. McIntosh several other officers, and nearly 200 men were captured. Nearly an equal number are supposed to have been killed in action or met death in their flight through the swamps. The remainder, with the exception of 400 or 500, retired to their homes. The British loss was only 16 killed and wounded.
- Briesen, Arthur V.**, mentioned, X, 640.
- Briggs, Isaac**, surveyor-general of the United States, voluntarily surveys mail road between Washington, D. C., and New Orleans, La., I, 376.

- Brimmer, W. H.**, act granting pension to, vetoed, VIII, 647.
- Briscoe vs. Bank of Commonwealth of Kentucky.**—A suit brought by the Bank of the Commonwealth of Kentucky against Briscoe et al. as holders of a promissory note for which the notes of the bank had been given as a loan to the drawers of the note. The defendants claimed that their note was void, since those given in return by the bank were nothing else than bills of credit and issued contrary to the clause of the Constitution which forbids States issuing such bills. The circuit court and the court of appeals of Kentucky gave judgment for the bank on the ground that the act incorporating the Bank of the Commonwealth of Kentucky was constitutional and that the notes issued were not bills of credit within the meaning of the National Constitution. The Supreme Court in 1837 decided the case in favor of the bank, the notes not being deemed bills of credit.
- Bristow, Pierson H.**, member of Board on Geographic Names, IX, 212.
- Bristow Station (Va.), Battle of.**—Hooker's and Heintzelman's divisions of McClellan's army had been sent to reinforce Pope, who had taken a position west of the Rappahannock. Stonewall Jackson made a forced march from the Shenandoah Valley by way of Thoroughfare Gap and, passing by the battlefield of Bull Run, Aug. 26, 1862, destroyed Pope's stores at Bristow Station, and then advanced to Manassas. Hooker's division the next day came upon the Confederates under Ewell at Bristow Station and drove them from the field. Each side suffered a loss of about 300 men.
- British America.**—The portion of North America, not including Alaska, which lies north of the United States. It comprises the Dominion of Canada and Newfoundland.
- British America:**
Commercial relations with, II, 567, 568.
Consul-general of United States to, arrest of, referred to, VI, 198.
Insurrection in Red River settlement referred to, VII, 47.
Military expedition against, proclamation regarding, VI, 433.
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- British Colonies:**
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- British Columbia:**
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- British Debts.** (See Debts, British.)
- British Guiana:**
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- Tariff laws of, evidence of modifications of, proclaimed, IX, 253; X, 156.
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- British Hudsons Bay Co.** (See Hudsons Bay Co.)
- British North America.** (See British America.)
- British North American Fisheries.** (See Fisheries.)
- British West Indies:**
Employment of colored laborers from United States in, V, 142, 147.
Tariff laws of, evidence of modifications of, proclaimed, IX, 253.
Discussed, IX, 312.
Vessels from Trinidad, tonnage duty on, suspended, VIII, 304.
- Broad Seal War.**—The clerk of Middlesex County, N. J., threw out the vote of South Amboy in the Congressional election of 1838 on account of defects in the returns. The Democrats protested, but the Whig representatives were declared elected and given certificates under the broad seal of the State. When Congress met Dec. 2, 1839, the House contained 119 Democrats and 118 Whigs outside of the New Jersey contestants. The Clerk of the House refused to recognize the New Jersey Whigs. Great confusion followed. Dec. 5 John Quincy Adams was elected Speaker *pro tempore*. Dec. 17, after much wrangling, R. M. T. Hunter, of Virginia, was elected Speaker. The Democratic contestants were finally seated.
- Broadhead, James O.**, report of, regarding French spoliation claims transmitted, VIII, 371.
- Brock, M. W.**, act for relief of, VII, 382.
- Broglie, Duc de**, correspondence regarding claims of United States against France. (See France, claims against.)
- Brokenshaw, William H.**, act granting pension to, vetoed, VIII, 645.
- Bromberger, Max.**, claim of, against Mexico, VII, 584.
- Bronski, Count de Bronno**, memorial from, relative to introduction of silkworms into United States, V, 46.
- Brook, Lieut. Mark**, mentioned, X, 694.
- Brooke, George M.**, mentioned, II, 128, 328.
- Brooke, John R.:**
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Puerto Rican expedition reinforced by corps of, X, 93.
- Brooklyn, The**, mentioned, X, 92.
- Brooklyn, N. Y.**, site for dry dock at, II, 368.
- Brooklyn (N. Y.), Battle of.**—July 2, 1776, Gen. Howe arrived from Halifax and took possession of Staten Island, N. Y. He was soon joined by Sir Henry Clinton from the south and Admiral Lord Howe, his brother, from England, with a fleet and a large land force. By Aug. 1 arrivals of Hessian troops had increased the force under Howe to nearly 30,000. Gen. Charles Lee entered New York the same day that Clinton arrived at Sandy Hook. Washington placed Boston in a state of security and proceeded to the Highlands of the Hudson, 50 miles above New York. The combined American forces numbered about 17,000, under the immediate command of Sullivan, Stirling (Sir William Alexander) (who had succeeded Lee), and Putnam. Aug. 22, 1776, 10,000 men and 40 cannon were landed by the British on Long

Brooklyn (N. Y.), Battle of—Continued.

Island between the present Fort Hamilton and Gravesend villages. American troops to the number of 5,000 under Sullivan guarded a range of hills extending from The Narrows to Jamaica village. On the morning of Aug. 27 a desperate battle was fought. Stirling was taken prisoner and Sullivan was forced to surrender. The American loss was 500 killed and wounded and 1,100 made prisoners. The British loss was 367 killed, wounded and taken prisoners. Putnam's division of the army was silently withdrawn by Washington under cover of a fog on the night of the 29th.

Brooks, Joseph, mentioned, VII, 319.

Brown, Aaron V., Postmaster-General, death of, announced and honors to be paid memory of, V, 551.

Brown, George, communication to, regarding seizure of the *Itata* by United States for violation of neutrality laws, IX, 183. (See also *Baltimore*, The.)

Brown, Jacob:

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Referred to, II, 348.

Victories of, over British troops, I, 548.

Brown, John, insurrection at Harpers Ferry, Va., discussed, V, 553. (See also *Brown's Insurrection*.)

Brown, John A., second lieutenant, promotion of, to first lieutenant discussed, IV, 587.

Brown, Joseph C., succeeded as Surveyor-General of Illinois by Silas Reed, IV, 104.

Brown, Lieut., report of, on the possibility of restraining the Navajo Indians within their reservations transmitted, IX, 347.

Brown, T. R., mentioned, VI, 470.

Brown, Van Buren, act for relief of, vetoed, VIII, 687.

Browning, O. H., correspondence of, transmitted, VI, 607.

Brown's Insurrection.—During the year 1850 John Brown, with a few companions, rented a farm in Maryland near Harpers Ferry, Va. (now W. Va.), to which he smuggled arms. He had designed a plan for the seizure of the United States armory at Harpers Ferry in which over 100,000 stand of small arms were stored. His object was to free the negro slaves. Sunday evening, Oct. 16, 1859, Brown, with a force of 22 men, seized the armory. The telegraph wires were cut, trains were stopped, and about 60 prisoners taken. It was said he intended after taking the armory to flee to the mountains, where he expected to be joined by the negroes, who were to rise and fight under his leadership. Brown abandoned this plan, however, and remained at the Ferry. The militia was summoned and surrounded him, and, together with some marines and artillery, captured him and his party after a desperate fight, in which he was wounded. John Brown was tried, was condemned to death, and on Dec. 2 was executed by hanging. This incident created tremendous excitement and intensified the growing bitterness between the North and the South. President Buchanan, in his annual message, December, 1859, referred to this insurrection as "the recent sad and bloody occurrences at Harpers Ferry" (V, 553).

Brownstown (Mich.), Battle of.—In July, 1812, Governor Meigs, of Ohio, sent Capt.

Brush with men, cattle, and provisions to the relief of General Hull, who had crossed the Detroit River into Canada. Learning that a body of British and Indians were lying in wait at Brownstown, at the mouth of the Huron River, to intercept his supplies, Hull sent Major Thomas B. Van Horne with 200 men from Findlay's Ohio regiment to act as an escort from the River Raisin to the destination in Canada. Van Horne's detachment had crossed the Ecorces River and was approaching Brownstown Aug. 5 when it found itself in an ambush and almost surrounded by Indians under Tecumseh. The party retreated in disorder with loss, having been pursued part of the way by the Indians.

Brownsville, Tex., blockade of port of, removed by proclamation, VI, 216.

Brubaker, Pharos B., capture and imprisonment of, by Honduras, IX, 393.

Brunot, F. R., member of Indian commission, VII, 23.

Brunswick and Lunenburg, Duke of, convention with, for acquiring and inheriting property, V, 293.

Brunswick Harbor, Ga., improvement of, referred to, III, 277.

Brush, Nathaniel, district supervisor, nomination of, I, 173.

Brush, Robert, act for relief of, discussed, III, 134.

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Bryant, J. S., act granting pension to, vetoed, VIII, 717.

Buchanan, James (fifteenth President United States):

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Duties on vessels of Italy suspended by proclamation, V, 291.

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 Securing homesteads to settlers, V, 608.
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Buck, The, seizure of, and claims arising out of, VII, 160; VIII, 613; IX, 112, 238, 441, 530.
 Award in case of, IX, 238.
Buckshot War.—The election in Philadelphia Oct. 9, 1838, was of considerable importance, because upon it hinged the control of the legislature which was to elect a United States Senator. The Democratic candidates for the legislature were elected by small majorities, but their Congressional candidate was defeated. The Democratic return judges thereupon cast out 5,000 Whig votes, claiming fraud. The Whig judges then issued certificates of election to both their Congressional and legislative candidates, and these returns were accepted by the Whig secretary of state. Dec. 4, 1838, the date for the meeting of the legislature, armed partisans of both sets of contestants met at Harrisburg. The senate, which was Whig, met and adjourned because of the mob. Two warring bodies met in the house. (III, 507, 508.) The Whig governor called upon the militia and tried without effect to obtain Federal aid. The Democratic house was recognized Dec. 25. A remark made during the height of the excitement, that the mob would feel the effect of "ball and buckshot before night," gave the episode the name of the Buckshot War.
Buckshot War, documents regarding, transmitted, III, 507, 508.

Bucktails.—A name applied to the Tammany Society of New York City from the fact that the members of the organization wore each a buck's tail in their hats as a badge instead of a feather. Between 1812 and 1828 the Bucktails were anti-Clintonian New York Democrats. They were the most vigorous opponents of Clinton's canal policy from its inception in 1817, and the name was later applied to all who opposed this policy throughout the State.

Buell, Don Carlos, second lieutenant, proceedings in court-martial of, referred to, IV, 275.

Buena Vista, Mexico:

- Battle of, referred to, IV, 535.
 Mutiny in camp of, referred to, IV, 593.
Buena Vista (Mexico), Battle of.—After part of his army had been sent to Gen. Scott, Gen. Taylor, with less than 5,000 men, mostly raw militia, was attacked at Buena Vista by Santa Anna's army of 21,000 Feb. 22, 1847. Taylor entrenched himself in the pass of Angostura, in the Sierra Madre Mountains, on the road leading to San Luis Potosi. The engagement began at 3 o'clock in the afternoon and was suspended at dark, the loss to the Americans being but 4 men wounded, while the enemy lost more than 300 killed and wounded. Fighting was renewed at dawn of the 23d and continued until sunset. The Mexicans retired during the night to Agua Nueva. The American loss in killed, wounded, and missing amounted to 745; that of the Mexicans upward of 2,000. Jefferson Davis in this battle commanded a Mississippi regiment as its colonel, and saved the army by receiving the charge of the Mexican lancers. His troops were formed in the shape of a V.
Buenos Ayres (see also Argentine Republic):
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 War with Brazil—
 Peace concluded, II, 411.
 Questions between United States and Brazil growing out of, II, 363, 385.
Buénrago, Señor, mentioned, V, 34.
Buffalo (N. Y.), Destruction of.—During the winter of 1813 the British regained Forts George and Niagara. The British and Indians, under the command of Lieut. Gen. Drummond, Maj. Gen. Riall, and Col. Murray, overran and laid waste the valley of the Niagara and pressed hard upon Buffalo. Gen. Amos Hall succeeded Gen. McClure at Buffalo Dec. 26, in the command of 2,000 badly organized American troops. On the night of Dec. 29 Riall crossed the river at Black Rock with 1,450 men, largely regulars, and a body of Indians. At sight of the enemy 800 of Hall's troops deserted. He, however, made a gallant defense with the Chautauqua troops and Canadian refugees until he was forced to retreat, keeping the enemy in check and covering the flight of the inhabitants. The British and Indians took possession of Buffalo and proceeded to burn, plunder, and massacre. Only 4 buildings were left standing in the town and only 1 at Black Rock.
Buffalo, Pan-American Exposition at, X, 157, 211.

Building and Loan Associations.—Corporations organized primarily to enable persons of limited means to secure homes, and, secondarily, to enable such persons to put aside a certain fixed sum at stated intervals, so that the investment may be safe and remunerative. In the beginning the home-building or home-buying fund came entirely from the periodic payments of the members (shareholders). At present prepaid, full-paid, and permanent shares are sold by the association, payable in full or in large part on subscription. Special deposits in any amount are received. Shares partly paid are brought to their par value by adding to payments made dividends apportioned thereto. Special deposits are generally withdrawable by the depositor at pleasure. Installment shares and prepaid shares remain in until they reach their par value. Full-paid shares remain in a certain fixed time. Permanent shares remain in until the dissolution of the corporation. These associations came into existence in England nearly 100 years ago, but were not made the subject of legislative enactment until 1836. The first association established in the United States was the Oxford Provident Building Association, of Frankford, Pa., organized in 1831. There are now (1906) in the United States 5,308 associations with assets of \$579,556,112. The estimated membership is 1,566,700. Since 1897 there has been a gradual decline in the number of associations in the United States and in the total amount of their assets. This falling off appears to be only a natural reaction after the period of abnormal expansion between 1880 and 1890.

Building and Loan Associations, report on, transmitted, IX, 477.

Buildings, Public:

Acts for erection of, vetoed, discussed, IX, 118.

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At Washington destroyed by Great Britain, I, 545.

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Improvement of, recommended, II, 262.

Bulgaria.—An autonomous principality in the Balkan peninsula of Europe. It is bounded by Roumania (chiefly separated by the Danube) on the north, by the Black Sea on the east, Turkey on the south, and Servia on the west. The principality is composed of Bulgaria (as formed in 1878) and Eastern Roumelia, with Sofia as the capital. The country is chiefly agricultural, the principle exports are grain, raw silk, live stock, hides, and attar of roses. Bulgaria was constituted a principality by the treaty of San Stefano and the Congress of Berlin in 1878. It was made tributary to Turkey, and Prince Alex-

ander of Battenberg was installed as its ruler in 1879. Union with Eastern Roumelia and war with Servia occurred in 1885. In 1886 Alexander was deposed through Russian intrigue and a regency was formed. In 1887 Prince Ferdinand of Coburg, in spite of Russian opposition, accepted the invitation of the regency to assume the throne. Bulgaria has an area of 38,080 sq. miles and a population (1900) of 3,744,283.

Bulgaria:

Diplomatic relations with, establishment of, recommended, VIII, 172.

Massacre by Turks in, referred to, VII, 422.

Bull Run (Va.), Battle of, or First Battle of

Manassas.—For the double purpose of menacing Washington and preventing an advance of the Federal troops into Virginia, the Confederates during the summer of 1861 collected a large body of troops in the vicinity of Manassas Junction, Va. The position was 33 miles southwest of Washington. The troops here assembled numbered, including all reinforcements received during the battle, about 32,000, under command of Gen. Beauregard. The senior officer, Gen. J. E. Johnston, after his arrival on the field, did not take the actual command. The aggregate force of Union soldiers in and around Washington was 34,160 men. Both armies were composed mostly of undisciplined volunteers. July 16, 1861, Maj. Gen. McDowell began a general forward movement. Lieut. Gen. Scott advised postponement until the forces should be better prepared for service, but his warning was disregarded. The Federal army was divided into 5 divisions. Leaving 5,700 men under Brig. Gen. Runyon to guard the approaches to Washington, the other 4 divisions, aggregating 28,500 men, under Brigadier Generals Tyler, Hunter, Heintzelman, and Miles, advanced to Bull Run, a tributary of the Potomac River, about 30 miles from Washington, on the way to Manassas Junction. Hunter's and Heintzelman's divisions crossed the run July 21 and attacked the Confederate left, slowly forcing it back. Beauregard's army, when the action began, consisted of about 24,000 available men. He was reinforced at intervals during the day by 8,000 men under Johnston, who had been encamped in the Shenandoah Valley and whose junction with the main army it was thought would be prevented by Gen. Patterson. The latter had been stationed at Martinsburg with 18,000 men. Between 3 and 4 o'clock in the afternoon, when everything seemed favorable to the Federals, the last 3,000 of Johnston's men, under Gen. Kirby Smith, arrived and fell upon the Federals, forcing a retreat. This attack was followed by another by Early's brigade, and the Federal retreat became a rout. Men threw away their arms and equipments; artillery horses were cut from their traces and guns abandoned on the road; soldiers, civilians, and camp followers fled panic-stricken toward Washington afoot, astride, and in carriages. The retreating army and followers reached Washington July 23. The casualties of the battle were: Federal losses—killed, 481; wounded, 1,011; missing, 1,216; total, 2,708. Confederate losses—killed, 387; wounded, 1,582; missing, 13; total, 1,982. This battle was the first very important engagement of the war. (See also Groveton

Sull Run (Va.), Battle of—Continued.

(Va.), Battle of; Manassas (Va.), or Bull Run, Second Battle of.)

Bulwer, Sir Henry Lytton, treaty between United States and Great Britain concluded by John M. Clayton and, V, 42.

Buncombe.—To talk buncombe is to speak for effect on persons at a distance, without regard to the audience present. The phrase originated near the close of the debate on the famous "Missouri Question," in the Sixteenth Congress. It was then used by Felix Walker, a naïve old mountaineer who resided at Waynesville, in Haywood, a western county of North Carolina, near the border of the adjacent county of Buncombe, which was in his district. The old gentleman rose to speak while the House was impatiently calling "Question," and several members gathered around him, begging him to desist. He persevered, however, for a while, declaring that the people of his district expected it, and that he was bound to make a speech for Buncombe.

Bundy, M. L., act for relief of, vetoed, VIII, 457.

Bunker Hill, or Breeds Hill (Mass.), Battle of.—After the battles of Lexington and Concord the British force under Gen. Gage was increased to 10,000 men by the arrival of Generals Howe, Clinton, and Burgoyne from England. These officers occupied the town of Boston, on a peninsula extending into the harbor. On the surrounding hills were encamped some 20,000 undisciplined Americans. On the night of June 16, 1775, 1,000 of them under Col. Prescott were sent to fortify Bunker Hill, on another peninsula lying north of Boston. Through some misapprehension they seized Breeds Hill, near Boston, and threw up a line of fortifications. On the morning of the 17th about 3,000 (possibly 3,500) British crossed the harbor in boats and charged the hill, which was defended by about half that number of raw recruits. After three bloody charges the Americans were driven from their position, having defended themselves with gunstocks and stones when their ammunition was exhausted. The British loss was about 1,050; that of the Americans about 450, including Gen. Warren. The statistics of this battle show the number of killed and wounded to have been more than 30 per cent. of the number engaged, thus placing it among the bloodiest battles known to history. At Gettysburg, after 3 days' fighting, the Union army lost 25 per cent., while 30 per cent. of those who fought at Bunker Hill fell in an hour and a half.

Burchard, Horatio C., Director of Mint, removal of, and reasons therefor, VIII, 367.

Bureaus. (See the several Bureaus.)

Burgess, Thomas M., correspondence regarding Dorris' Rebellion, IV, 302.

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Appointment of, to mission by Emperor of China referred to, VI, 598, 627.

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Burnet, Daniel, member of legislative council for Mississippi Territory, nomination of, I, 457.

Burnet, J., correspondence regarding removal of remains of the late President W. H. Harrison, IV, 53.

Burnett, John D., district attorney, nomination of, discussed, VIII, 375.

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Burnley, J. H., mentioned, VI, 259.

Burnside, Ambrose E.:

Brigadier general, thanks of President tendered, VI, 104.

Major general, ordered to assume command of Army of Potomac, VI, 124.

Burnt Corn Creek (Ala.), Battle of.—As a result of Tecumseh's efforts to induce all the Southern Indians to join in a war of extermination against the whites, the Creeks were divided into two factions—one for war, the other for peace. In 1813 Peter McQueen, a half-breed, of Tallahassee, one of the leaders of the war party, was furnished by British agents at Pensacola with large quantities of supplies, under sanction of the Spanish governor. On learning of this Col. James Callar, of Washington, set out July 25, 1813, to disperse the Indians McQueen had collected and intercept the supplies. On the morning of July 27 Callar's command, increased by reinforcements to 180 men, came upon McQueen's party at their camp on Burnt Corn Creek. The Indians were surprised and fled into the woods, leaving their pack horses to the whites. They soon returned, however, and fiercely attacked 100 of Callar's men. Overwhelming numbers compelled Callar's men to retreat after a brave resistance. Two of Callar's command were killed and 15 wounded.

Burr, Aaron:

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Burr, Elizabeth, act granting pension to, vetoed, VIII, 677.

Burritt, Loren, act to increase pension of, vetoed, VIII, 562.

Burroughs, Marmaduke, consul at Vera Cruz, Mexico, charges preferred against, by Dr. Baldwin, III, 593.

Burt, Silas W., chief examiner of Civil Service Commission, nomination of, and reasons therefor, VIII, 158.

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Burtram, B. A., act granting pension to, vetoed, VIII, 709.

Bussey, Catharine, act granting pension to, vetoed, VIII, 720.

Butler, Benjamin F., of Massachusetts:

Swords of Gen. Twiggs forwarded by, to President Lincoln and his recommendation that they be disposed of in reward or compliment for military service, VI, 145.

Butler, Benjamin F., of New York:

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- Butler, Benjamin F.**, (of N. Y.)—*Continued.*
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Butler, Matthew C.
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Butterfield, Anna, act granting pension to, vetoed, VIII, 698.
Butterfield, Carlos, & Co., claim of, against Denmark for seizure of the *Ben Franklin* and *Catherine Augusta*, VII, 510; VIII, 784.
 Agreement to submit, to arbitration, VIII, 803.
 Award of arbitrator, IX, 110.
By Chance, The, claim for, adjusted, VI, 263.

C

- Cabinet.**—Specifically, a body of counselors, usually composed of heads of departments, meeting in a private room or cabinet. In the United States the term is applied to the council composed of the heads of the nine Executive Departments of the Government, with whom the President confers on matters of administrative policy. Their meeting as advisers of the President is unknown to law or the Constitution and their conclusions have no binding force. The Constitution does not provide for a Cabinet, but it authorizes the President to "require the opinion in writing of the principal officer in each of the Executive Departments upon any subject relating to the duties of their respective offices." Washington required such opinions frequently. Changes have taken place in the method pursued, and the Cabinet is now regarded as an advisory board with which the President holds regular consultations. From being merely the heads of the Executive Departments its members have come to be recognized as an essential part of the Government. (See also Presidential Succession and Administration.)
- Cabinet:**
 Official conduct of, complimented, IV, 350.
Cables.—Pacific cable, X, 439, 537. (See also Ocean Cables.)
- Caddo Indians:**
 Memorial from, regarding claims to lands in Oklahoma, IX, 236.
 Treaty with, III, 188.
- Cadet.**—One who is under training for a commission in the Army of the United States, by a course of instruction and discipline in the Military Academy at West Point. Each Senator, Congressional District, Territory, the District of Columbia and Puerto Rico is entitled to have one cadet at the Academy, and the President has also 40 nominations at large. The number of students is limited to 522. Nominations are made either directly or after competitive examinations, as the nominator may choose, in the latter case he nominates two secondary candidates, the best of whom will be admitted should the principal candidate fail at the examination. The age for nomination is between 17 to 22 years. The course of instruction lasts for four years, the discipline and examinations are very strict, about one fourth of those nominated usually fail to pass the preliminary examination and of the residue only a little more than half finally graduate. Cadets receive pay amounting to \$609.50 per annum and on graduation are commissioned as second lieutenants.
- Cadets, Military:**
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- Cady, Heman**, claim of, presented and appropriation for, recommended, III, 477.
- Cahokia Indians**, treaty with, II, 47.
- Cairo and Tennessee Railroad Co.**, act to authorize construction of bridges by, returned, IX, 70.
- Calapona Indians**, treaty with, V, 303.
- Calaveras Big Tree Grove**, preservation of, X, 711.
- Caldwell, Charles H. B.**, thanks of Congress to, recommended, VI, 76.
- Calebee Creek (Ala.), Battle of.**—In his expedition against the Creek Indians Gen. Floyd, with more than 1,200 Georgia volunteers, 1 company of cavalry, and 400 friendly Indians, arrived at Calebee Creek on the night of Jan. 26, 1814, and established a camp on the highland bordering on the swamp of that name in Macon County, Ala., 50 miles west of Fort Mitchell. Before dawn of the following morning the camp was suddenly attacked by Indians. The assailants were received with grapeshot, followed by a bayonet charge, and fled in dismay. They left 37 dead. The whites lost 17 killed and 132 wounded. Of the friendly Indians 5 were killed and 15 wounded. Floyd retired to Fort Mitchell, where most of his men were discharged. No other expedition against the Creeks was organized in Georgia.
- Calhoun, J.**, president constitutional convention of Kansas, mentioned as forwarding copy of constitution framed by that body, V, 471.
- Calhoun, James S.**, treaty with Indians concluded by, V, 33.
- Calhoun, John C.**
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- California.**—One of the United States; nickname, "The Golden State;" motto, "Eureka," (I have found). California is named, it is said, after a fictitious island in the Spanish romance "Las Sergas de Esplandian." Other authorities derive the name from the Spanish words "caliente" (hot) and "fornalla" (furnace). The State extends from lat. 32° 30' to 42° north and from long. 114° to 124° 25' west. It is bounded on the north by Oregon, on the east by Nevada and Arizona, on the south by Lower California, and on the west by the Pacific Ocean. Its capi-

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tal is Sacramento, and San Francisco is the chief city. The State is famous for its beautiful scenery, its salubrious climate, and its wealth of precious metals and choice fruits. It was admitted into the Union in 1850 as a result of the famous compromise of that year. It formed a part of the territory ceded to the United States by Mexico in 1848. Area, 158,360 sq. miles; population in 1905, 1,750,000.

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Campbell, Jesse, act granting pension to, vetoed, VIII, 547.

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- Campbell, Robert**, member of Indian commission, VII, 23.
- Campbell, William M., jr.**, act granting pension to, vetoed, VIII, 686.
- Canada**, The, claims arising from wreck of, on coast of Brazil and award discussed, VII, 98, 115.
- Canada, Dominion of.**—A confederation of British colonies in North America. It is bounded by the Arctic Ocean on the north, Labrador and the Atlantic Ocean on the east, the United States on the south, and the Pacific Ocean and Alaska on the west. It is made up of the provinces of Quebec, Ontario, New Brunswick, Nova Scotia, Prince Edward Island, Manitoba, British Columbia, Alberta, Saskatchewan, the Northwest Territories (Assiniboia, Kewatin, Athabasca, Mackenzie, Ungava, and Franklin), and the Territory of Yukon. Alberta and Saskatchewan, which had previously been parts of the Northwest Territories, were formed into provinces, Sept., 1, 1905. The capital is Ottawa. The government consists of a Governor-General, appointed by the Crown, and a parliament made up of a senate and house of commons. Each province has a Lieutenant-Governor, appointed by the Governor-General, a legislature elected by the people, and a responsible ministry; and has a large measure of local self-government. The principal industries are agriculture, especially the raising of wheat and oats; lumbering, fisheries, and mining, especially of gold, coal, and copper. During the last four years there has been a large immigration into the newly-opened grain lands of the Northwest Territories from the Dakotas, Minnesota and the adjacent States. Canada was first settled by the French in 1535. It became an English possession in 1763, as a result of the French and Indian War; and remained loyal to England during the American Revolution. The present organization of the Dominion dates from 1867, when Ontario, Quebec, Nova Scotia, and New Brunswick were formed into the Dominion of Canada. Other provinces and territories have been added until it includes all the British territory north of the United States except Newfoundland and a part of Labrador. Area, 3,745,574 sq. miles; population (1904), 5,604,328.
- Canada, Dominion of:**
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Vessels from Ontario, duties on, suspended by proclamation, VIII, 284.
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Vessels of United States in Great Lakes granted facilities for returning, X, 106.
Welland Canal tolls discussed. (See Welland Canal.)
- Canadian Parliament**, expression of thanks from legislative council of Canada for donations for library of, V, 141.
- Canadian Volunteers**, bounty lands to, proclamation regarding, I, 573.
- Canals.**—Before the days of railroads overland transportation was a serious problem. Water seemed to present the cheapest and most available medium. The natural water courses were extensively navigated, but as the necessities of transportation between commercial centers increased canals were projected in many parts of the country. The oldest works of the kind in the United States are the South Hadley and Montague canals, in Massachusetts, built by companies chartered in 1792. The Middlesex Canal, connecting Boston Harbor with the Merrimack River, was completed in 1808. The Erie Canal, the largest and most important in this country, was projected by De Witt Clinton, begun in 1817, and completed in 1825. It extends from the Hudson River at Albany to Lake Erie at Buffalo. It is 352 miles long and cost \$50,000,000. In 1903 the legislature of the State of New York voted \$101,000,000 to improve the canal system of the State, the chief improvement being the deepening and widening of the Erie Canal to permit its use by boats of 1,000 to 1,200 tons. The Chesapeake and Ohio Canal, the outcome of a project of Washington to improve navigation of the Potomac River, was begun in 1828 by the

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board of public works of Virginia and completed in 1850. It cost \$11,000,000. It extends from Georgetown, D. C., to Cumberland, Md., a distance of 184 miles. By means of 74 locks an elevation of 609 feet is attained. The Delaware and Hudson Canal, extending from Rondout, N. Y., to Honesdale, Pa., 108 miles, was completed in 1829. The Schuylkill Coal and Navigation Canal, also 108 miles long, from Mill Creek to Philadelphia, Pa., was begun in 1816 and completed in 1825. The Lehigh Coal and Navigation Company have a canal from Easton to Coalport, Pa. Another important ship canal is the Sault Sainte Marie connecting Lakes Superior and Huron which was built in 1855 at the cost of \$6,033,533.

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Cape Horn:
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Cape Vincent, N. Y., proclamation granting privileges of other ports to, V, 326.

Capital, relation of labor to. (See Labor, discussed.)

Capital of United States.—Up to the time of the adoption of the Constitution the Con-

gress had no fixed place for holding its sessions, but met at York, Lancaster, Philadelphia, Baltimore, Princeton, Annapolis, Trenton, and New York. The First Congress under the Constitution met in New York City in 1789. Later it held sessions in Philadelphia from 1790 to 1800. During the second session of the First Congress under the Constitution, after a long and bitter debate in which sectional jealousy ran high, an act was passed, June 28, 1790, selecting the present site of Washington as the permanent seat of Government. The Government removed to its new headquarters in 1800. (See Washington City, and District of Columbia.)

Capital of United States, seat of Government removed from Philadelphia to Washington, discussed, I, 291, 305, 308, 309, 310.

Capitan Grande Band (or Village), referred to, X, 486; XI, 927.

Capitol.—From *Capitolium*, the name of the magnificent temple of Jupiter Capitolinus on the Capitoline Hill in ancient Rome. The *Mons Capitolinus* was so called from the finding of a skull during the excavation for the first building. The name is applied to the magnificent edifice in which the Congress of the United States holds its sessions and to the statehouses which are erected at the capitals of the various States. The Capitol is situated on a low hill commanding one of the best views of Washington, and dominates the city with its magnificent dome. Its extreme length is 751 ft, and it varies from 121 to 324 ft. in width, it consists of a main edifice of sandstone, painted white and crowned with an iron dome, and two wings of white marble. The general style is classic and its columns and detail are Corinthian. As a whole it is one of the most imposing and beautiful governmental buildings in the world. The original dome was a low structure of wood covered with copper, but this was replaced in 1856 by the present iron dome, 287 ft. high, designed by Thomas U. Walter, and surmounted by a fine statue of Freedom by the American sculptor Thomas Crawford. The corner stone of the building was laid by President Washington Sept. 18, 1793, with Masonic ceremonies. The north wing was completed Nov. 17, 1800; the south wing in 1811. The interior of both were burned by the British under Gen. Ross Aug. 24, 1814. The foundation of the main building was laid Mar. 24, 1818, and the whole was completed in 1827, at a cost up to that time of nearly \$2,500,000. An act of Sept. 30, 1850, provided for extensions to the north and south, and President Fillmore laid the corner stone July 4, 1851, Daniel Webster delivering the oration. This extension was finished in 1867. These extensions, which added very considerably to the beauty of the building, with their porticoes and columns of white marble, contain the Senate Chamber and Hall of Representatives. The former Senate Chamber is now occupied by the Supreme Court, the former Hall of Representatives is now a Statuary Court to which each State contributes statues of her most famous sons. Among the special objects of interest inside are the busts of the Vice-Presidents in the Senate Chamber; a number of historical paintings, some of them colossal in size, in various parts of the building; the

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Marble Room of the Senate, with its mirrors; the collection of Speakers' portraits in the Representatives' Lobby of the House, and the massive Rotunda, with its historical paintings and frescoes. Outside, on the east is the plaza, near the center of which sits the classic figure of George Washington. On the west side Story's bronze statue of John Marshall, like the Washington a sitting figure, is encountered by the visitor just before he ascends the stairs over the terrace. It is curious to note that the main facade faces east, as it was anticipated that the city would spread in that direction; the reverse has proved to be the case and the Capitol turns its back towards the main portion of the city.

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Secretary of President J. Q. Adams assaulted in, II, 400.

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Caracas, Venezuela:

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Statue of Washington to be commenced at, and industrial exhibition to be opened, VIII, 129, 173.

Caramall, Hamet:

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Cardenas Bay, Cuba, conflict in, discussed, X, 77, 91.

The *Winslow* rescued by the *Hudson* in, thanks of Congress, etc., to officers and men of latter recommended, X, 77.

Cardinal.—A prince of the Church of Rome, ranking in Catholic countries with princes of the blood royal, a member of the conclave or sacred college which is the council of the Pope. Since 1179 the cardinals have claimed

and exercised the privilege of electing the Pope. The full college consists of 70 cardinals. On March 15, 1875, Archbishop John McCloskey, of New York, was made the first American cardinal. He died October 10, 1885, and on June 7, 1886, Archbishop James Gibbons, of Baltimore, was created cardinal.

Carib Indians.—A powerful and warlike tribe of Indians who occupied the northern part of South America and the Windward or Caribbee Islands. Columbus encountered them at Guadeloupe and had a battle with them at Santa Cruz in 1493. After many disastrous wars with the Europeans and becoming mixed with fugitive negro slaves, they were transported to the vicinity of Honduras, where their descendants, the Black Caribs, now live.

Carlin, Bernard, act granting pension to, vetoed, VIII, 707.

Carlisle Indian School, establishment of, discussed, VII, 577.

Carmanchee Indians, treaty with, referred to, III, 188.

Carmichael, William:

Commissioner to Spain, nomination of, I, 115.

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Referred to, I, 192.

Carmick & Ramsey, claims of, referred to, V, 534.

Carnifex Ferry (W. Va.), Battle of.—After McClellan's promotion, July 22, 1861, to the command of the Army of the Potomac, Rosecrans succeeded him in command in West Virginia. Gen. Floyd took a position on the Gauley River, 8 miles south of Nicholas, W. Va., at Carnifex Ferry, with 2,000 Confederates, intending to cut off Cox's brigade from Rosecrans's army. Sept. 10 he was attacked in this position by Rosecrans with 10,000 men. Darkness terminated a sharp engagement, and the next morning Floyd was in the mountains 30 miles away. The Federal loss was 120 killed and wounded. Among the former was Col. Lowe, of the Twelfth Ohio, who fell at the head of his regiment.

Carnot, Marie François Sadi, President of France, assassination of, IX, 478.

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Caroline, The.—A steamer in the service of Canadian rebels which was seized on American soil by the British and burned. In 1836-37 a revolutionary spirit developed in Lower Canada. Dec. 12, 1837, the leaders of the insurrection, under one Mackenzie, seized the Canadian Navy Island, in the Niagara River, and set up a provisional government. Dec. 26 the Canadians, crossing the Niagara, after a fight in which several rebels were killed, burned the vessel (III, 401; IV, 76). The affair caused great indignation. President Van Buren issued proclamations demanding observance of the neutrality laws (III, 481, 482). The New York militia was called out and placed under command of Gen. Scott.

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Discussed, IV, 76.

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- Caroline, The**, claim on Brazil concerning, VII, 266.
- Caroline Islands.**—A Pacific archipelago extending from lat. 3° to 11° north and from long. 137° to 163° east. The principal islands are Yap, Ponape, Strong, Babelthouap, and Rouk. The name usually includes the Pelew Islands. The inhabitants are Polynesians. Germany and Spain both claimed Yap Island until 1885, when the dispute was settled in favor of Spain. By treaty of February 12, 1899, these islands, with the exception of Guam, the largest of the Marianne which had been ceded to the United States in 1898, passed on October 1, 1899, from Spain into the hands of Germany. The purchase-price paid by Germany was about \$4,000,000. They consist of about five hundred coral islets which are small and sparsely peopled. The most important product and export is copra.
- Caroline Islands:**
 Dispute between Germany and Spain relating to domination of, discussed, VIII, 331; X, 145.
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- Carondelet, Baron de:**
 Authority to dispose of lands of Spain in Louisiana referred to, II, 82.
 Validity of grant made by, to Marquis de Maison Rouge to be tested, IV, 160.
- Carpenter, W. S.**, act for relief of, vetoed, VIII, 714.
- Carpenters' Hall.**—Building owned by the guild or union of carpenters of Philadelphia. It was similar to the guild halls of London. The First and Second Continental Congresses held their sessions in this hall.
- Carpetbaggers.**—A term of reproach applied to certain Northern politicians who in the days of the reconstruction of the Southern States, shortly after the close of the Civil War, took up temporary residence in the South and sought election to Congress and various State offices. The name arose from the fact that only a few of them intended to settle permanently, and therefore carried, it was said, their effects in carpetbags. Some of them proved to be good and useful citizens, while many were unscrupulous adventurers who sought official positions for the purpose of enriching themselves.
- Carr, Mary A.**, act granting pension to, vetoed, VIII, 739.
- Carr, Mary G.**, act granting pension to, vetoed (pocket), IX, 761.
- Carrington, Edward**, district supervisor, nomination of, I, 99.
- Carrington, Henry B.**, provision for compensation to, for services rendered in Indian matters, IX, 64.
- Carroll, Bridget**, act granting pension to, vetoed, VIII, 822.
- Carroll, Charles**, on committee to—
 Conduct inaugural ceremonies of President Washington, I, 47.
 Receive President Washington upon his arrival from New Jersey, I, 44.
- Carroll, James**, act granting pension to, vetoed, VIII, 467.
- Carson, Christopher (Kit)**, treaty with Indians concluded by, VI, 629.
- Carson and Colorado Railroad**, right of way of, through Walker River Reservation, Nev., referred to, VIII, 149, 189, 368, 593.
- Carsons Valley, Utah**, Territorial government over, referred to, V, 483.
- Carter, C. L.**, member of commission concluding treaty for annexation of Hawaiian Islands, IX, 348.
- Carthage (Mo.). Battle of.**—After Governor Jackson and his followers had been driven from Boonville by Gen. Lyon they pushed westward into Jasper County, being joined on the way by Gen. Sterling Price. This increased the Confederate forces to 3,600. July 5, 1861, they were confronted near Carthage by Gen. Franz Sigel with a force of 1,500 men, who had been sent to the southwestern part of the State to prevent reinforcements arriving from Arkansas and Texas. Sigel, after a short engagement, retreated through Carthage to Sarcoxie, 15 miles to the eastward. His loss was 13 killed and 31 wounded. The Confederates reported their loss at 40 to 50 killed and 125 to 150 wounded.
- Carver, Jonathan**, claims of, to lands near Falls of St. Anthony, II, 137.
- Cary's Rebellion.**—Thomas Cary, deputy governor of North Carolina, was deposed in 1705 at the solicitation of the Quakers for disfranchising them under the requirements of the test act. For several years Cary endeavored to usurp the government. In 1711 he attempted to capture Governor Hyde by force. Governor Spotswood, of Virginia, sent soldiers to Hyde's assistance and Cary was forced to submit.
- Casey, Thomas L. jr.**, commissioner in marking boundary between Texas and Mexico, VIII, 317.
- Cass, Lewis:**
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- Cassia Forest Reserve**, proclaimed, XI, 986.
- Castillon, Señor Francisco**, mentioned, V, 36.
- Castle, W. R.**, member of commission concluding treaty for annexation of Hawaiian Islands, IX, 348.
- Castle Island, Boston Harbor**, joint resolution authorizing use and improvement of, vetoed, VIII, 661.
- Catacazy, Constantin de**, Russian minister to United States, recall of, requested, VII, 145.
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- Catawba, The**, purchased for Peru, detention of, VI, 633, 637.
- Catcher, White**, treaty with Indians negotiated by, VI, 394.
- Catharine, The**, seizure of, by British cruiser *Dolphin* discussed, IV, 217.
- Catherine, Augusta, The**, seized by Denmark with the *Ben Franklin*, VII, 510; VIII, 784. (See Butterfield, Carlos & Co.)
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Restrictions on importation of. (See Animals and Animal Products.)

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Cattle Exhibition, International, at Hamburg, Germany, discussed, VIII, 127.

Cattle Plague. (See Pleuro-Pneumonia.)

Caucus.—A meeting of the adherents of a political party to name candidates for office or agree upon lines of party policy. Though the caucus is strictly an American institution, similar meetings are sometimes held in England. Mr. Gladstone held a caucus respecting the ballot bill July 6, 1871. The caucus originated in Boston in the early part of the eighteenth century. It is supposed to have derived its name from the meetings of the calkers connected with the shipping business in the North End. From these local meetings the custom grew and carried the name with it until after the institution of the Federal Government it was applied to the Congressional meetings which nominated candidates for the Presidency and Vice-Presidency of the United States. This custom was pursued until 1824. In 1828 nominations were made by State legislatures, and in 1831 the present system of nominating by conventions came into use. State officers were similarly nominated by legislative caucuses until, somewhat previous to the general party system, nominating conventions took their place. Caucuses of members of Congress are now held regularly by the adherents of the several political parties to discuss and determine upon party policies and to choose the officers of the Senate and House.

Cavalry, increase in, recommended, I, 238, 240; V, 178; VIII, 376.

Cave Hills Forest Reserve, proclaimed, X, 757.

Cavite, Philippine Islands, batteries at, silenced by American squadron, X, 72, 90.

Cayuga Indians.—A small tribe of the Iroquois Confederacy of Indians (also called the Six Nations). They originally inhabited the district in the vicinity of Cayuga Lake, N. Y. During the Revolution they joined the British in making war on the colonists. They annoyed Gen. Clinton on his march to join Sullivan in 1779 and their villages were destroyed. After the war they ceded most of their lands to the State of New York, and the tribe became scattered and almost totally disappeared. There are remnants of them in the Indian Territory, Wisconsin, and Ontario, Canada. Their number is now insignificant.

Cayuse Indians, treaty with, V, 381.

Cedar Creek (Va.), Battle of.—One of the most notable actions in the Civil War. After the engagement at Fishers Hill Sheridan posted his army on the north side of Cedar Creek, near Strasburg, and went to Washington to consult as to the return of the Sixth Corps. During his absence Early, who had been reenforced by Lee to his original

strength, returned up the valley, crossed Cedar Creek, and on the morning of Oct. 19, 1864, surprised the Federal camp and captured 24 guns and 1,500 prisoners. The Federal army under command of Gen. Wright retired toward Winchester, when Sheridan, who had arrived at the latter place during the forenoon, rejoined the army and ordered the battle renewed. Early's men were in possession of the camp at Cedar Creek when they were attacked about 3 o'clock in the afternoon and defeated, with heavy losses to both sides. The Confederates lost all the guns and camp equipage which they had previously captured, about 24 guns of their own, and some flags. Sheridan's loss in the two engagements, in killed, wounded, and prisoners, was 5,990; the Confederate loss was 4,200. This was the last effort of the Confederate forces to occupy the Shenandoah Valley.

Cedar Keys, Fla., interference with collector of customs in, and action of Government discussed, IX, 72.

Cedar Mountain (Va.), Battle of.—June 26, 1862, Gen. Pope was assigned to the command of the combined forces of Banks, Fremont, and McDowell, known as the Army of Virginia. Each of the separate armies had been defeated or forced into retreat by Jackson. The combined forces numbered 45,000, including 5,000 cavalry. Pope established headquarters at Culpeper, about 60 miles southwest of Washington. Gen. Lee sent Jackson and A. P. Hill to occupy Gordonsville, a few miles south of Culpeper. Their united armies, numbering, according to Federal accounts, 25,000 men, advanced toward Culpeper, and on Aug. 9 attacked Gen. Banks, with a force of 8,000 men, at Cedar Mountain, a hill 2 miles west of Mitchell's Station, Culpeper County, Va. Banks was defeated. The Federal losses were 314 killed, 1,445 wounded, and 620 missing. The Confederates lost 229 killed, and 1,047 wounded.

Cedar Rapids, Iowa, act for erection of public buildings in, returned, IX, 68.

Cemeteries, National:

Establishment of, and number of Union soldiers buried in, discussed, VI, 451.

Government employees to be permitted to participate in ceremonies at, VI, 664; VII, 166, 183, 230, 283, 328, 398, 450, 491, 556, 600; VIII, 13, 125, 166, 231, 314, 493, 765; IX, 28, 105, 174, 400, 517, 614.

Censors.—Roman magistrates to survey and rate the property and correct the manners of the people were appointed about 443 B. C. The old constitution of Pennsylvania, framed in 1776, provided for a council of censors, to be chosen 2 from each city or county every 7 years, whose duty it should be to investigate the departments of the government and inquire whether the constitution had been violated. A new constitution was framed in 1790 with this provision omitted. The Vermont constitution, modeled after that of Pennsylvania, provided for censors, and this requirement was not abolished till 1870.

Censure, Resolutions of.—Mar. 28, 1834, after 3 months' debate over an attempt to impeach Andrew Jackson, Congress resolved that the "President, in the late Executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the Constitution and laws,

Censure, Resolutions of—Continued.

but in derogation of both." Jackson protested, but without avail. In 1837 the resolutions were expunged from the records. Jan. 10, 1843, John M. Botts, of Virginia, offered a resolution for the impeachment of President Tyler for "gross usurpation of power, wicked and corrupt abuse of the power of appointment, high crimes and misdemeanors," etc. The resolution was rejected by a vote of 83 to 127. (See also Protests.)

Census.—The Constitution provides that the people of the entire country shall be enumerated once in 10 years and Representatives in Congress apportioned in accordance therewith. The first census was taken in 1790, and was simply an enumeration of the people by the United States marshals. Since then it has been greatly elaborated until now the figures of one count are hardly before the people before preparations are begun for another.

Census:

Appropriation for expenses of, recommended, VIII, 67, 77, 103, 108, 150.

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Arthur, VIII, 48.

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Jefferson, I, 327.

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McKinley, X, 120, 164, 229.

Monroe, II, 219, 248.

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Tyler, IV, 41, 81, 90.

Van Buren, III, 497, 558.

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Laws regarding time of taking, discussed, II, 420.

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Pensioners, names and ages of, should be taken with, III, 527.

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Referred to, X, 120, 164, 229, 452.

Supervisors of, removed, referred to, VII, 591.

Census, Agricultural, recommended, IX, 550.

Census Board referred to, V, 22.

Census Bureau discussed, VII, 112; IX, 205.

Cent.—Copper coins stamped with various designs were issued first by the States and later by the Federal Government. Vermont was the first State to issue copper cents, having granted permission in June, 1785, to Reuben Harmon, jr., to make money for the State for two years. In October, 1785, Connecticut granted the right to coin £10,000 in copper cents, known as the Connecticut cent of 1785. In 1786 Massachusetts established a mint and coined \$60,000 in cents and half cents.

In the same year New Jersey granted the right to coin £10,000 at 15 coppers to the shilling. In 1781 the Continental Congress directed Robert Morris to look into the matter of governmental coinage. He proposed a standard based on the Spanish dollar, 100 units to be called a cent. His plan was rejected, and in 1784 Jefferson proposed to Congress that the smallest coin should be of copper, of which 200 should pass for 1 dollar. In 1786, 100 was substituted. The act of Apr. 2, 1792, authorized the coinage of copper cents containing 264 grains and half cents in proportion. By the acts of Jan. 14, 1793, and Jan. 26, 1796, their weight was reduced (I, 191). Their coinage commenced in 1793. In 1857 the nickel cent was substituted and the half cent discontinued, and in 1864 the bronze cent was introduced, weighing 48 grains and consisting of 95 per cent. of copper and the remainder of tin and zinc.

Cent. (See Copper Coins.)

Centennial Anniversary of Founding of Washington as Capital to be held in 1900, X, 122, 179, 231.

Centennial Anniversary of Framing of Constitution, proposition to celebrate, in Philadelphia, VIII, 533.

Centennial Anniversary of Independence, proclamation recommending delivery and filing of historical sketches of counties and towns, VII, 391.

Centennial Celebration of Inauguration of President Washington to be held in New York, VIII, 786.

Proclamation regarding, IX, 18.

Centennial Exposition at Philadelphia.—An international exhibition of arts, manufactures, and products of the soil and mines, held at Fairmount Park, Philadelphia, from May 19 to Nov. 10, 1876. It was the first international exhibition of the kind held in this country, and was intended to celebrate the completion of a century of the existence of the United States as an independent nation. The enterprise received President Grant's warmest support (VII, 204, 261, 300, 354). Citizens of Philadelphia subscribed \$10,000,000 of capital stock. Congress appropriated \$2,000,000 as a loan, Pennsylvania \$1,000,000, and the city of Philadelphia \$1,500,000. Eight million persons paid admission, and many foreign countries were represented by exhibits.

Centennial Exposition at Philadelphia discussed, VII, 204, 261, 300, 354.

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Executive orders regarding, VII, 281, 326.

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Proclamation regarding, VII, 227.

Removal of Government exhibit to capital for permanent exhibit recommended, VII, 410.

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Report of board on behalf of Executive Departments, printing and distribution of, recommended, VII, 427, 477.

Report of commission referred to, VII, 410, 513.

Results of, discussed, VII, 401, 410, 513.

Central America.—A geographical name applied collectively to the six republics of Guatemala, Honduras, Salvador, Nicaragua, Costa Rica and Panama. These States, with the exception of Panama, declared their independence Sept. 21, 1821, and seceded from the Mexican Confederation July 21, 1823. The Central American Confederation continued until 1839, when it was dissolved. The history of these States presents an almost continuous record of anarchy and civil war. Their union under one president was proposed at the Pan-American Congress, 1889-90. On June 28, 1895, Nicaragua, Honduras, and Salvador united as a Central American Republic. By treaty signed June 15, 1897, the 5 States were united into a Republic, each, however, preserving its autonomy. In 1898 the confederation was disrupted by the withdrawal of the State of San Salvador. Since that time, although repeated and strenuous efforts have been made to secure federation, the republics are still independent.

Central America (see also the several States):

Affairs of, discussed, X, 100.

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Greater Republic of Central America, establishment of, discussed, X, 100, 140.

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Policy of United States toward, discussed, IX, 315.

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Ship canal through, discussed, II, 552. (See also Nicaragua Canal; Panama Canal.)

Treaty with Great Britain regarding. (See Clayton-Bulwer Treaty.)

Treaty with States formerly composing, referred to, V, 15, 31, 32.

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Treaty with, transmitted and discussed, II, 317, 350; III, 533; VII, 101.

War in, discussed, VIII, 326.

Central America, Greater Republic of, establishment of, discussed, X, 100, 140.

Cerro Gordo (Mexico), Battle of.—This battle was fought on Apr. 17 and 18, 1847. Ten days after the surrender of Vera Cruz the vanguard of Scott's army, under Brig. Gen. Twiggs, took up the march toward the Mexican capital. The distance to be covered was nearly 200 miles. Three days later they arrived at the foot of the Orizaba Mountains, 50 miles to the westward. Here Santa Anna, the Mexican President, had assembled a force of 15,000 men, intrenched on the heights of Cerro Gordo. The American force did not exceed 8,000 men. By cutting a new road around the mountain to the flank of the enemy and simultaneously assaulting front and rear the Mexicans were forced to surrender. Santa Anna escaped with some 6,000 or 7,000 of his army down the road toward Jalapa. The loss to the Americans was 63 killed and 398 wounded. That of the enemy was estimated to be nearly 1,200 killed and wounded. The victors captured 3,000 prisoners (who were paroled), between 3,000 and 4,000 stand of arms, 43 pieces of heavy bronze cannon, and a large quantity of fixed ammunition.

Cerro Gordo (Mexico), Battle of, referred to, IV, 536.

Cerruti, claim of, against Colombia discussed, X, 103.

Cervera, Admiral, Spanish fleet under command of, in Santiago Harbor, Cuba, X, 91. Destroyed by American squadron while attempting to escape, X, 92. (See also Spanish-American War.)

Cessions of Lands. (See Lands, Indian.)

Chaffee, Adna R., General, mentioned, X, 498.

Chaffee, Earl Worden, reinstated in navy, X, 845.

Chaffee, J. B., United States Senator, mentioned, VI, 375.

Chalmette's Plantation (La.), Battle of.—One of the battles near New Orleans. After the indecisive engagement at Villere's plantation, Dec. 23, 1814, Sir Edward Pakenham joined the British army with reinforcements, which swelled the invading forces to 8,000. On the morning of the 28th the British advanced to Chalmette's plantation exposed to the deadly fire of the *Louisiana*. Jackson awaited the movement with 4,000 men and 20 pieces of artillery. The British were led into the engagement in 2 columns under Generals Keane and Gibbs. After facing the heavy fire of the American sharpshooters for a short time, Sir Edward Pakenham ordered a retreat. The British loss in the engagement was about 150. The loss of the Americans was 9 killed and 8 wounded. One man on board the *Louisiana* was killed. More than 800 shots were hurled from her

Chalmette's Plantation (La.), Battle of—
Continued.

guns with deadly effect. One of them is known to have killed and wounded 15 men.

Chamberlain, Charles H., act for relief of William R. Wheaton and, vetoed, VIII, 818.

Chamberlain, D. H., letters of, regarding slaughter of American citizens in South Carolina transmitted, VII, 375.

Chambers, Talbot, court-martial of, referred to, II, 346.

Champagny, Jean Baptiste Nompère de, mentioned, I, 446, 449.

Champion Hills (Miss.), Battle of.—Sherman was directed to remain at Jackson to destroy everything that could be of value to the Confederates. Grant himself turned toward the west. Pemberton, the Confederate general, with 25,000 men, had left Vicksburg hoping to cut off Grant from his supplies and form a junction with Johnston's forces. Learning the strength and position of the enemy, Grant ordered Sherman and McPherson to leave Jackson and hasten forward. May 16, 1863, Pemberton's army was encountered at Champion Hills, a precipitous, narrow, wooded ridge 25 miles west of Jackson and 20 miles east of Vicksburg. The Confederates were strongly posted, and it was necessary for the Federal troops to approach the position across open fields exposed to the fire of 10 batteries of artillery. Hovey's division and McPherson's corps, with the exception of Ramsey's division, which did not arrive till the battle was over, began the attack in front while Logan's division was working to the left and rear. The battle was hotly contested and the Confederates were driven back after they had sustained heavy loss. Grant's losses were 410 killed, 1,844 wounded, and 187 missing—total, 2,441. The Confederate losses were probably nearly the same, and in addition 2,000 prisoners.

Champlain, Lake. (See Lake Champlain.)

Chance, Merrit O., mentioned, X, 798.

Chancellorsville (Va.), Battle of.—Jan. 26, 1863, Maj. Gen. Joseph Hooker succeeded Maj. Gen. Burnside in command of the Army of the Potomac. By Apr. 1 that army was in excellent condition, numbering at the beginning of the new operations over 100,000 infantry, 10,000 artillery, 12,000 or 13,000 cavalry, and more than 400 guns. Gen. Lee was at Fredericksburg, Va., with 57,000 Confederates. Apr. 28 (some authorities say the 29th) Hooker began a movement with Lee's left as his objective point. To cover his real design, however, he dispatched Gen. Stoneman with most of the cavalry on a raid to the rear of the Confederate army, stationed Gen. Sedgwick with 30,000 men opposite Fredericksburg, and moved with about 70,000 men toward the United States Ford, on the Rappahannock. By Apr. 30 Hooker had crossed the Rappahannock with the main body of the army and established his headquarters at Chancellorsville, 11 miles west of Fredericksburg. The Confederate accounts say he then had with him 91,000 men. Lee had 48,000. Fighting began May 1, a division of the Fifth Corps advancing on the road to Fredericksburg and engaging a Confederate advance. The result was the recall of Hooker's advance and a better

position for the Confederates. May 2 Lee detached "Stonewall" Jackson, with about 25,000 men, to attack the Eleventh Corps, under Gen. O. O. Howard, at the Federal right. The attack culminated in the evening with a panic in the Federal lines. "Stonewall" Jackson was mortally wounded during the night by the fire of his own men, who in the darkness mistook him for an enemy. The next day, May 3, the contest was renewed, nearly 14,000 troops under Lee having made a junction with the forces under Stuart, Jackson's immediate successor. It resulted in general Confederate success. Sedgwick in the meantime had crossed the Rappahannock, forced Early out of the Fredericksburg Heights, and threatened the Confederate rear at Chancellorsville. Lee, having defeated the greater wing of the Federal army and driven it away, reinforced on the 3d and 4th of May the troops in front of Sedgwick. The latter was pushed back and recrossed the river at night with a loss of 5,000 men. Hooker also recrossed the river during the night of the 4th. According to Federal accounts their loss was 17,197, of whom 5,000 were prisoners; 13 guns and 20,000 muskets also fell into the hands of the Confederates. Lee's loss was about 13,000 including prisoners. The battle of Chancellorsville was probably the most important victory won and the greatest disaster sustained by the Confederates up to that period. They here defeated the splendid Union Army which attacked them; but the death of Lieut. Gen. Jackson was a loss from which it was well-nigh impossible to recover.

Chandler, James O., act granting pension to, vetoed, VIII, 420.

Chandler, Zachariah, death of, announced and honors to be paid memory of, VII, 557.

Chantilly (Va.), Battle of.—Aug. 31, 1862, the day after the second battle of Bull Run, or Manassas, Lee sent Jackson northward for the purpose of turning Pope's right wing toward Washington. Pope's headquarters were at Centerville and he had been reinforced by Sumner's and Franklin's corps. Anticipating the movement of the Confederates, he disposed his forces in position to meet and frustrate it at Chantilly, just north of Centerville, on the evening of Sept. 1, by the troops under McDowell, Hooker, and Kearny. In the engagement Generals Kearny and Stevens were killed. Pope was forced to fall back upon the works at Washington. Federal loss, 1,300; Confederate, 800.

Chapultepec (Mexico), Battle of.—The reduction of El Molino del Rey and Casa de Mata by Gen. Scott's army left the City of Mexico still protected by the formidable citadel of Chapultepec. This was filled with troops and the approaches were guarded by mines. Sept. 12, 1847, a preliminary fire was opened on the outworks, and on the 13th a strategic assault was made and the walls scaled in the face of a terrible fire. The American force consisted of 7,180 men. Some 25,000 of Santa Anna's men were distributed between Churubusco and the City of Mexico and the causeways connecting them. Between Chapultepec and the City of Mexico proper were 2 causeways or elevated roads leading to the gates of Belén and San Cosmé. These were crossed under the

- Chapultepec (Mexico), Battle of.**—Continued. enemy's fire and the divisions of Worth and Quitman entered the ancient seat of the Montezumas. During the fighting from Sept. 12 to 14 incident to the taking of Chapultepec and the occupation of the city the American loss was 862. The Mexican army, strongly fortified in the vicinity of its capital, numbering at first some 30,000, lost 10,743. Santa Anna, then President and commander in chief of the army, was a fugitive. The trophies included more than 20 colors and standards, 75 pieces of ordnance and 57 wall pieces, 20,000 small arms, and an immense quantity of ammunition.
- Charleston, S. C.,** foreign vessels at, referred to, V, 661.
- Charleston, S. C., Exposition** relations of U. S. Government to, X, 451.
- Charleston (S. C.), Surrender of.**—After Sir Henry Clinton had learned of the failure of the attack on Savannah he sent an additional force of 8,500 men to the South under Maj. Gen. Leslie. The main body of the American army was in winter quarters at Morrinstown, and reinforcements were sent from there to join Gen. Lincoln, who had command of the Southern army. The entire garrison at Charleston was less than 4,000 regulars and militia. Mar. 20, 1780, the British squadron, having touched at Tybee Island, near Savannah, crossed the bar, and on Apr. 9 passed Fort Moultrie, with a loss of 27 men, and anchored off Fort Johnson, which had been abandoned by the Americans. Apr. 29 Admiral Arbuthnot, with 500 marines, forced the Americans to abandon L'Empries Point, with a loss of nearly 100 men, who were captured by the guard boats on the way to Charleston. May 4, 200 marines took Fort Moultrie, on Sullivan's Island. May 12, 1780, Gen. Lincoln was compelled to surrender. The British casualties were 76 killed and 189 wounded. The American casualties were nearly the same; 5,618 men, which included all the male citizens of Charleston, were made prisoners, and 405 pieces of ordnance were captured.
- Charlestown, Mass.,** docks constructed at, II, 419.
- Site for, II, 368.
- Charter.**—A name commonly applied to grants of land or special privileges made by governments or individual rulers to companies or bodies of men for a term of years. In American law a charter is a written grant from the sovereign power conferring rights or privileges upon a municipality or other corporation. The term is generally applied to the statute, letters patent, or articles of association sanctioned by statute creating a corporation, as a city, college, stock company, benevolent society, or social club. During the early settlement of America European potentates, claiming sovereignty by right of discovery, issued charters granting land for purposes of colonization. The principal charters granted for this purpose were those of the Virginia Company, 1606, 1609, and 1612; Plymouth, 1620; Massachusetts Bay, 1629; Providence Plantations, 1644; Connecticut, 1662; Rhode Island and Providence Plantations, 1663; Massachusetts, 1691, and Georgia, 1732. The same sort of charters were given to the Dutch West India Company by the States-General of the United Netherlands in 1621 and to the Swedish Company by Gustavus Adolphus in 1624.
- Charter Oak.**—A tree celebrated in American legend. According to tradition, in 1687 Edmund Andros, the colonial governor of Connecticut, demanded the return of the charter of the Colony. During a meeting held to deliberate upon the action to be taken the lights were suddenly extinguished. When they were relighted the charter was missing. It was said that Capt. Wadsworth prevented the confiscation of the charter by secreting it in the hollow of an oak tree near Hartford. The tree was long held in great veneration. Aug. 20, 1856, it was prostrated by a gale.
- Chase, Charles A.,** act to pension, vetoed, VIII, 453.
- Chase, Maj.,** *habeas corpus*, writ of, suspended in case of, VI, 19.
- Chase, Nathaniel D.,** act granting pension to, vetoed, VIII, 687.
- Chase, Ormond,** shot by order of Mexican general, V, 566.
- Chase, Salmon P.:**
Chief Justice United States, death of, announced and honors to be paid memory of, VII, 229.
Regulations relating to trade with ports opened by proclamation signed by, VI, 90.
- Chasta Indians,** treaty with, V, 303.
- Chatfield, Alfred C.,** appointed to civil service, X, 633.
- Chatfield, Mr.,** mentioned, V, 45.
- Chauncey, Isaac,** naval talents of, commented on, I, 535.
- Chayenne Indians.** (See Cheyenne Indians.)
- Cheek, M. A.,** claim of, against Siam, IX, 752. Adjustment of, X, 111.
- Chehalis Reservation, Wash.,** allotment of lands in severalty to Indians on, referred to, VIII, 192.
- Chemulpo, Korea,** agreement respecting foreign settlement at, VIII, 806.
- Cherokee Commission:**
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Comanche, Kiowa, and Apache Indians, IX, 333.
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Shoshone and Arapahoe Indians, IX, 214.
Tonkawa Indians, IX, 203, 214.
Wichita, Caddo, etc., Indians, memorial regarding, IX, 236.
Wichita Indians, IX, 203, 213.
Appointed and discussed, IX, 46, 71, 73, 203.
Lands acquired by, opened to settlement. (See Lands, Public, opened.)
- Cherokee Indians.**—An important tribe of the Iroquoian stock of Indians. The name means "upland field." When first known to Europeans they occupied the mountains of southern Virginia, North and South Carolina, Georgia, Alabama, and Tennessee. In 1755 they ceded lands to Governor Glen and permitted the erection of forts within their

Cherokee Indians—Continued.

territory. As the country about them filled up with whites they made repeated cessions of their territory until by the treaty of 1835 they sold all the remainder of their lands and removed west of the Mississippi River. The Cherokees rendered important service to Jackson's army in the War of 1812. They are now the most important and highly civilized tribe in the Indian Territory, numbering some 17,000. A small band which remained in western North Carolina now numbers some 2,000.

Cherokee Indians:

Act directing payment of certificates of, reasons for applying pocket veto to, IV, 329.
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 Bill for payment of money claimed by, VIII, 386.
 Bill securing to, proportion of proceeds of public lands, VIII, 386.
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 Canal through country of, referred to, II, 421.
 Citizenship solicited by, I, 454.
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 Enforcement of payment of taxes on products of, referred to, VII, 51.
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Fraudulent occupation of, discussed, IX, 454.
 Opened to settlement by proclamation, IX, 406.

Forms of declaration required, IX, 424.

Cherokee Strip. (See Cherokee Outlet.)

Cherry Valley (N. Y.), Massacre.—Nov. 11, 1778, during a blinding storm of snow and rain, about 800 Indians and Tories surprised the force of Colonial troops under Col. Ichabod Alden at Cherry Valley and massacred 43 persons, including women and children, took some 40 prisoners, burned all the buildings, and drove away the live stock.

Chesapeake, The.—June 22, 1807, as the U. S. S. *Chesapeake* was leaving Hampton Roads, Va., a lieutenant of the British ship *Leopard* boarded her and demanded the return of 3 negro deserters who had escaped from the British man-of-war *Melampus* and enlisted on the *Chesapeake*. The Government had previously refused the demand of the British admiral for the return of the deserters. Commodore Barron accordingly refused to deliver the men. The officer of the *Leopard* then returned to his ship, which immediately opened fire on the *Chesapeake*. The latter vessel, being entirely unprepared for battle, was forced to surrender without firing a gun (I, 426). President Jefferson at once issued a proclamation (I, 422) and demanded a disavowal of the act, a restoration of the captured men, and the recall of Admiral Berkeley. Only tardy reparation was made for the affair (I, 496), and it served to embitter American opinion against the British and hastened the War of 1812.

Chesapeake, The, attacked by British ship *Leopard*, I, 422, 426, 432, 469, 475.

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Chesnimnus Forest Reserve, proclaimed, X, 892.

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Cheyenne and Arapahoe Reservation, Ind. T.:

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Opened to settlement by proclamation, IX, 275.

Appropriations for, recommended, IX, 203.

Unauthorized occupancy of, proclamation against, VIII, 307.

Cheyenne Indians.—A tribe of the Algonquian stock of Indians. The word means "enemies." About 1800 they inhabited a region in and about the Black Hills and along the Platte River in Nebraska and the Cheyenne River in Dakota. In 1825 Gen. Atkinson made a treaty of peace with them. After this the tribe separated, and while the northern band located on the Tongue River Reservation, in eastern Montana, and remained peaceable, numerous encounters occurred between the settlers and soldiers and the southern section of the tribe. Failure to fulfill their treaty obligations led to war in 1861. While negotiations for peace were being conducted in 1864, Col. Chevington attacked the Sandy Creek village and massacred 100 Cheyennes. A bloody campaign followed. In 1865 the Indians agreed to go on a reservation, but the Dog Soldiers, whose village was burned by Gen. Hancock in 1867, kept up the warfare until defeated by Gen. Custer at Washita. A band of Cheyennes now live at the Pine Ridge Agency, in South Dakota. There are now about 3,000 of them in all.

Cheyenne Indians:

Agreement between the Cherokee Commission and, IX, 130.

Lands acquired under, opened to settlement, IX, 275.

Appropriation to, recommended, IX, 326.

Authority to use certain funds for subsistence of, recommended, VIII, 404.

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Disorderly conduct of, discussed, VIII, 358.

Lands set apart for, referred to, VIII, 93, 191.

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War with. (See Indian Wars.)

Chicago:

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Government buildings in, destroyed by fire, discussed and recommendations regarding, VII, 154.

International military encampment to be held at, foreign guests not to pay duties on baggage, VIII, 579.

Memorial of convention at, in respect to enlarging water communication between Mississippi River and Atlantic Ocean, VI, 187.

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World's Columbian Exposition at—

Board of management of Government exhibits designated IX, 401.

Chinese artisans, admission of, temporarily to, recommended, IX, 187.

Military encampment to be held during, discussed, IX, 23.

Proclamation regarding opening of, IX, 140.

Proposition to observe four-hundredth anniversary of discovery of America discussed, IX, 52.

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Reports of—

Deposited in State Department, IX, 749.

Discussed and recommendations regarding, IX, 132, 234, 330, 334, 752.

Resolution of International American Conference regarding, IX, 977.

Chicago Fire.—Oct. 8, 9, and 10, 1871, the city of Chicago, Ill., was visited by the most disastrous fire of modern times. Two thousand one hundred acres of the city, the greater portion of which was covered by costly stores and other business houses, were burned over. The loss was nearly \$200,000,000.

Chicago Fire referred to, VII, 154, 184.

Chicago Indian Massacre.—At the outbreak of the War of 1812 Capt. Nathan Heald commanded 50 men at Fort Dearborn, where now stands the city of Chicago. Ordered by Gen. Hull to abandon the fort and join him at Detroit, Capt. Heald's party were waylaid by Indians on Aug. 15, 1812, among the sand hills along the lake shore. The greater part of them, including 12 children, were massacred and their scalps sold to Col. Proctor, who had offered a premium for American scalps.

Chicago, Milwaukee and St. Paul Railway, agreement with Indians for right of way for, VIII, 193, 201, 369, 593.

Lands granted to, for right of way declared forfeited, IX, 512.

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Chicago Riots, proclamation regarding, IX, 499.

Chicago Strike, report of commission on, transmitted, IX, 556.

Chicago, Texas and Mexican Central Railway, application of, for right of way across Indian Territory, VIII, 66.

Chicagof Island referred to, X, 513.

Chickamauga and Chattanooga National Military Park discussed, IX, 447.

Chickahominy (Va.), Battle of. (See Cold Harbor, Battle of; Gaines Mill, Battle of.)

Chickamauga (Ga.), Battle of.—After the battle of Stone River, or Murfreesboro, Jan. 2, 1863, Bragg retreated to Shelbyville, and then to Tullahoma, Tenn. June 24 Rosecrans advanced from Murfreesboro and gradually forced Bragg to evacuate middle Tennessee and cross the Tennessee River to Chattanooga. Aug. 19 Rosecrans's army, in 3 corps, under Generals George H. Thomas, Alexander McD. McCook, and Thomas L. Crittenden, made an advance through the Cumberland Mountains. Sept. 7 and 8 the Confederates retired from Chattanooga, Tenn., to Lafayette, Ga. Longstreet having arrived from Virginia with reinforcements for Bragg, Rosecrans concentrated his army near Lee & Gordon's mill on Chickamauga Creek, a tributary of the Tennessee. On the evening of Sept. 18 the two armies were on opposite sides of Chickamauga Creek. Rosecrans's army numbered between 55,000 and 60,000 men; Bragg's army about 50,000. Bragg crossed the creek with a portion of his army during the night, and on the morning of the 19th Gen. Polk, in command of the Confederate right wing, attacked the Federal left under Thomas. The battle continued all day without definite results. On the morning of the 20th the Confederates renewed the attack. Longstreet penetrated the center of the Federal line and separated Rosecrans, McCook, and Crittenden from the rest of the army, and the bulk of the battle fell upon Thomas. The Federals retreated at night to Rossville, and on the night of the 21st to Chattanooga. The Federal losses in

Chickamauga (Ga.), Battle of—Continued.

the battle were 1,687 killed, 9,394 wounded, and 5,255 missing; total, 16,336. The Confederate loss was 18,000.

Chickamauga Indians.—depredations committed by, I, 126.

Chickasaw Case.—Through the efforts of Northern people in organizing vigilance committees to prevent kidnapping of free colored persons on the charge of being fugitive slaves, a writ of *habeas corpus* was served upon the captain of the brig *Chickasaw* demanding the delivery of 2 colored women whom, it was charged, he intended to carry South. On exhibiting their free papers the women were liberated.

Chickasaw Indians.—A tribe of the Muskogean stock of Indians, originally inhabiting the southern portion of the United States, mostly in the present States of Mississippi and Tennessee. In the eighteenth century their villages were about Pontotoc County, Miss., and their principal landing place Memphis. The treaty of 1786 fixed their northern boundary at the Ohio River, and as early as 1800 a part of the tribe migrated to Arkansas. In the early colonial wars they took the part of the English against the French, and in 1739 entered into friendly relations with Gen. Oglethorpe. In 1765 they met the Choctaws and whites at Mobile and entered into friendly trade relations. During the Indian wars generally they continued peaceful, aiding the whites against the Creeks in 1793. By treaties of 1805, 1816, and 1818 they ceded all their lands east of the Mississippi. In 1832 and 1834 they ceded the remainder of their lands and went to live with the Choctaws, with whom they dwelt harmoniously until 1855, when they were separated. During the early days of the Civil War they sided with the South. They now number about 3,500.

Chickasaw Indians:

- Agreement with Choctaws, V, 302.
- Appropriation to pay claim of, for lands ceded, recommendations regarding, IX, 202, 229, 326.
- Boundary line with Choctaws, V, 305.
- Claims of, referred to, IV, 436, 437.
- Deed for release of lands by, discussed, IX, 202, 229, 326.
- For lands ceded, appropriation to pay, recommendations regarding, IX, 202, 229, 526.
- Funds of, to be invested, III, 187; V, 183, 190, 203, 275, 295, 360.
- Lands—
 - Ceded to, I, 116.
 - Ceded to United States by, I, 387.
 - Of, sold, III, 593.
- Removal of, III, 498.
- Stock of, to be transferred to Choctaws, referred to, III, 620; IV, 421.
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- Treaty with, I, 332, 390, 397, 581, 582; II, 45, 47, 607, 609; III, 52, 280; V, 156, 352; VI, 385.
- Proclamation regarding, I, 80.

Chief Magistrate. (See President of United States.)**Chief Signal Officer of Army,** printing of report of, recommended, VIII, 71, 150, 192.**Childs, Thomas,** gallantry of, at battle of Monterey, Mexico, IV, 518.**Chile.**—A Republic of South America, lying between Peru on the north, the Pacific Ocean

on the south and west, and the Andes Mountains on the east. It was invaded by Almagro in 1535, and was first settled by Valdivia in 1541. Independence was proclaimed in 1818, though the last stronghold of the Spaniards was not taken until 1826. After gaining its independence Chile made extensive conquests in Patagonia and that country was finally divided between Chile and Argentina with the Andes as the boundary. Wars with Peru and Bolivia from 1879–1883 extended the northern boundaries. Chile has enjoyed greater tranquillity, both internal and external than the majority of South American Republics, but in 1902 the quiet was interrupted by a violent dispute with Argentina over the size and armament of their respective navies, the dispute was satisfactorily settled in 1903 by treaty. (See Argentine Republic.) Chile is governed by a President and a Congress, consisting of a Senate and Chamber of Deputies. It has 24 provinces each of which has local self-government. Two thirds of the population is engaged in agriculture, cereals and cattle being important sources of revenue. The principal wealth of the country lies in its mineral deposits of which the chief are copper, gold, silver, zinc and nickel; the Chilean nitrate fields furnish a large part of the world's supply of nitrate, and are largely exploited by British capital. The area of the country is 307,620 sq. miles and the population is 2,712,145.

Chile:

- American sailors on the *Baltimore* assaulted at Valparaiso. (See *Baltimore*, The.)
- American seamen impressed by, V, 239.
- Boundary question with Argentine Republic, VIII, 42; X, 98, 138.
- Church of the *Compañía* at Santiago, destroyed by fire, VI, 197.
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- Claims of United States against, III, 377; IV, 198, 340; VIII, 328, 498, 784; IX, 109. (See also *Baltimore*, The.)
- Agreement regarding, referred to, III, 605.
- Award of arbiter, King of Belgium, referred to, VI, 180.
- Commission to settle, discussed, IX, 435, 524, 626; X, 102, 141.
- Convention providing for adjustment of, by arbiter, V, 533.
- Payment of, IV, 263; VI, 244; VII, 335.
- Protocol relative to, transmitted, VII, 260.
- Provision made for, IV, 198.
- Consul of, to United States, exequatur to, revoked, VI, 427.
- Consular convention with, V, 424.
- Controversy with Bolivia referred to, VI, 209.
- Copyright privilege extended, by proclamation, IX, 693.
- Fugitive criminals, convention with, for surrender of, V, 379.
- Independence of, asserted, II, 44.
- Minister of, to United States, reception of, referred to, VII, 570; VIII, 831.
- Minister of United States in, V, 52.
- Action of, in harboring criminals discussed, IX, 435.
- Naval force of United States on shores of, II, 309.
- Proceeds of cargo of the *Macedonia* seized in Peru by authorities of, V, 454.
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- Relations of, with Peru referred to, VIII, 75, 86.
- Specie payments, resumption of, by, discussed, IX, 627.
- Treaty with, transmitted and discussed, II, 595, 606; III, 27, 41, 51; V, 379, 424.
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- War in, and policy of United States respecting, discussed, IX, 183.
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- War with Bolivia and Peru, VII, 570, 611; VIII, 41, 130.
- Claims of United States arising out of, discussed, VIII, 328, 498, 784; IX, 109.
- Conditions of peace presented by Chile, VIII, 75, 130, 173.
- Efforts of United States to bring about peace, VII, 570, 611, 630; VIII, 75, 130.
- Negotiations for restoration of peace, VIII, 89.
- Terminated, VIII, 235.
- Treaty of peace discussed, VIII, 173.

China.—Called the "Flowery Kingdom." The main division of the Chinese Empire, extending from about lat. 18° north to the boundaries of Mongolia and Manchuria on the north. The Chinese Empire is comprised of eighteen provinces. The capital is Peking. The leading products are rice and other grains, tea, silk, cotton, sugar, coal, iron and copper. The government is administered by viceroys of provinces who report to the central autocratic power at Peking. The reigning emperor is Kuang-hsu but the real power is in the hands of the Dowager Empress Tzu-hsi. The principal religions are Buddhism, Sinism, and Taoism. Confucianism is a philosophical system, not, strictly speaking, a religion. The Chinese assign their origin to a fabulously remote date. Dates in Chinese chronology are not very reliable until the era of Confucius, in the sixth century B. C. During the third century B. C. the Tsin dynasty built the Great Wall. Then followed the Han dynasty, under which the Empire was consolidated. Buddhism was introduced in the first century A. D. Soon afterwards the Empire became disorganized, but was again consolidated about 600. The Mongol dynasty was established by Kublai Khan in 1280. The Ming dynasty followed in 1368. The present Manchu dynasty of Tsing, acceded in 1644. The Empire was extended westward in the eighteenth century. Wars with England and France have resulted in opening certain treaty ports to commerce. In 1884-85 France was successful in a war with China. Disturbances occurred in Korea in 1894, when both China and Japan sent troops to that country. War was declared by Japan July 31, 1894, and China was defeated and compelled to pay heavy indemnity, cede Formosa to Japan, and acknowledge the independence of Korea. The pressure exercised by foreign powers upon China as evidenced by extensive foreign concessions, the seizure of Kiao-chau by

Germany in retaliation for the murder of two German missionaries in 1897, and the lease of Port Arthur to Russia, and Wei-hai-wei, to England in 1898, brought about the outbreak of the Boxers (q. v.). At the close of the outbreak Manchuria was in the hands of the Russians who agreed, in April, 1902, to retire from that province in 18 months. Their refusal to do so led to the Russo-Japanese War. (See Japan.) During this war China remained neutral. The area of China proper is 1,532,420 square miles; with dependencies 4,277,170 square miles. The population of China proper, about 407,000,000; of whole Empire about 426,000,000.

China (see also Canton):

- American citizens in—
 - Property of, destroyed, VIII, 236.
 - Protection for, discussed, VII, 52, 101; IX, 109, 186, 627; X, 103, 141.
- American manufactures in, VIII, 175.
- Artisans from, admission of, to World's Fair temporarily recommended, IX, 187.
- Boxer uprising in, X, 192, 454. (See also Boxers.)
- Cable connection with, X, 537.
- Claims of United States against, VII, 484; VIII, 174, 214.
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- Interruption of, by Great Britain referred to, III, 622.
- Commercial treaty with, X, 649.
- Commission to study conditions in, recommended, X, 103, 141.
- Commissioner of United States to—
 - Appointment of, recommended and compensation to, discussed, IV, 214; V, 122.
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- Consular courts of United States in—
 - Jurisdiction of, V, 418.
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- Consular premises in, rent of, referred to, VIII, 219.
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- Expenditures from appropriation for providing for intercourse with, referred to, IV, 418.
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- Import duties of, X, 518.
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 Great Britain and France, neutrality preserved by United States in, V, 506, 558, 643.
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Agents of United States requested to protect subjects of contestants, IX, 525, 627.

Women imported into United States from, for dishonorable purposes, VII, 355.

Chinese Immigration.—In 1844, under a treaty negotiated by Caleb Cushing, 5 Chinese ports were opened to American trade and protection of life and property was guaranteed American citizens. By the Burlingame treaty of 1868 the right of Chinese immigration was admitted, and the promise was made that the subjects of China should enjoy the same privileges, exemptions, and immunities respecting travel and residence in the United States as the subjects of the most favored nation. The Chinese came to this country in considerable numbers until their presence began to cause opposition on the Pacific coast and agitation was begun for their exclusion. They were obnoxious to many Americans on account of their increasing numbers and their habits of life which rendered their assimilation with Americans impossible. In 1879 after a Congressional investigation a bill restricting their immigration passed Congress but was vetoed by President Hayes (VII, 514). The continued opposition to the Chinese, however, led to the framing of a new treaty with China in 1880. This treaty conceded to the Government of the United States the right to regulate, limit or suspend, but not absolutely to prohibit the coming of Chinese laborers, whenever their presence should be deemed injurious. Chinese students, teachers, merchants, and travelers were to be admitted freely as before. In 1882 an act was passed by Congress suspending the immigration of Chinese laborers for ten years. This act was amended several times in the direction of greater stringency. In 1892 the Geary Act was passed extending the operation of previous acts for ten years and providing that any Chinaman not lawfully entitled to remain in the United States should be removed to China and all Chinese laborers should be obliged to procure certificates of residence from the collector of internal revenue, failure to do so within a year to be followed by deportation. This act was modified considerably by a law passed in 1893. A new treaty was agreed upon by the United States and China in 1894 absolutely prohibiting the coming of Chinese laborers for ten years. This treaty, in accordance with the terms of one of its articles, was terminated by China at the expiration of the ten years' period, in December, 1904. By an act approved April 29, 1902, all laws in force prohibiting and regulating Chinese immigration were reenacted as far as not inconsistent with treaty obligations until otherwise provided by law, and their operation extended to the island territory of the United States. The number of Chinese in the United States, exclusive of Hawaii, was, in 1880, 105,465; in 1890, 107,488; in 1900, 89,863.

Chinese Immigration:

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ers across borders proposed to Mexico and Great Britain, IX, 109.

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Registration of Chinese laborers—

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Violation of laws, restricting, discussed and recommendations regarding, VIII, 175; IX, 197.

Chipman, Nathaniel, district judge, nomination of, I, 99.

Chippewa Commission, report of, discussed IX, 65.

Chippewa Indians.—A tribe of the Algonquian stock of Indians, also known as the Ojibwa. They lived on the shores of Lakes Huron and Superior and extended westward into North Dakota. They allied themselves with the British during the Revolution, but made peace in 1785 and 1789. The confederacy formed by the Ojibwas, the Ottawas, and Pottawottomis was called the Three Fires. Having joined in the Miami uprising and been subjugated by Gen. Wayne, they again made peace in 1795. They renewed hostilities in 1812, but again came to terms in 1816, relinquishing all their lands in Ohio. Other treaties ceding lands were made, and by 1851 most of the tribe had moved beyond the Mississippi River. They number more than 30,000, about equally divided between the United States and Canada.

Chippewa Indians:

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516; IV, 210, 454, 564; V, 296, 302, 305, 351, 421, 579; VI, 162, 196, 199, 202, 210, 259, 383, 520, 637, 702.

Chippewa Plains (Canada), Battle of.—On the morning of July 4, 1814, the entire American Army of the North advanced northward along the western bank of the Niagara River to a point near the mouth of the Chippewa. Here they were confronted by the British under Gen. Riall, who was reinforced during the night by the King's regiment from Toronto. On the afternoon and evening of the 5th a stubborn battle was fought. The British were defeated with a loss of 604. The American loss was 335. Gen. Scott distinguished himself for bravery and efficiency. Gen. Riall was wounded and taken prisoner.

Chippewa Reservations in Wisconsin, disposition of timber on, IX, 131.

Chippeway Indians. (See Chippewa Indians.)

Chiricahua Forest Reserve, proclaimed, X, 508.

Chiriqui, Isthmus of, persons sent to, to make required examinations, referred to, V, 661.

Chisholm vs. Georgia.—In 1792 Alexander Chisholm, of South Carolina, brought suit in the Supreme Court of the United States against the State of Georgia for the payment of a private claim, Chisholm's counsel claiming that section 2 of Article III of the Constitution vested the court with jurisdiction in such cases. The court gave judgment to the plaintiff and issued a writ of inquiry, but the writ was never executed, the legislature of Georgia having passed an act making the execution of such a writ punishable by death. This case led to the adoption in 1798 of the eleventh amendment to the Constitution.

Cho-bah-ah-bish Indians, treaty with, V, 37.

Choctaw Coal and Railway Co., act authorizing Oklahoma City, Okla., to issue bonds to provide right of way for, vetoed, IX, 136.

Choctaw Commission, proceedings of, referred to, IV, 276.

Choctaw Indians.—A tribe of the Muskogean stock of Indians, originally occupying lands along the Gulf of Mexico. They were generally considered a friendly tribe, having acknowledged the sovereignty of the United States as early as 1786. They served in the war against England and in the Creek War. In 1820 they ceded part of their lands to the Government for territory west of Arkansas. In 1830 they ceded the remainder of their lands and moved West. Georgia assumed control of their lands in the East, granting them rights as citizens. New treaties were made in 1866. They are now gathered in the southeastern angle of the Indian Territory to the number of 18,000, of whom about 10,000 are said to be pure bloods.

Choctaw Indians:

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Chouteau and Demun, depredations committed on property of, by Mexicans, III, 229.

Chouteau, Charles P., bills for relief of, vetoed, IX, 93, 686.

Christian Indians:

Claims of, against United States, II, 468.

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Christiana Case.—In 1851 Edward Gorsuch and a party from Maryland attempted to seize a fugitive slave in Christiana, Pa. A riot ensued in which Gorsuch was killed. Castner Hanway, an invalid Quaker, was arrested and charged with treason, riot, and bloodshed for refusing to assist a marshal in quelling the disturbance. No indictments were found, but the case created much excitement.

Christians, massacre of. (See Armenians.)

Christie, Smith, treaty with Indians negotiated by, VI, 394.

Chrystler's Fields (Canada), Battle of.—Nov. 11, 1813, Gen. Wilkinson, with the main body of the American army, here fought a slightly superior force of British. The battle lasted 5 hours, victory alternately favoring one and then the other. Night ended the conflict, with the British in possession of the field. The Americans lost heavily, many officers being either killed or wounded. Ameri-

can loss, 339; British loss, 187 killed, wounded, and missing.

Church, George E., report of, upon Ecuador referred to, VIII, 157.

Church, Philip, Aid-de-Camp, announced the death of Gen. Washington and communication of the President about the funeral, Dec. 21, 1799.

Church and State.—The relation of the state to religious bodies in America differs from all previous relationships in Europe and the Colonies. Rhode Island, Pennsylvania, and Maryland provided for religious freedom early in their respective histories. Most of the Colonies established the Church of England, though Massachusetts and Connecticut maintained the Congregational. The Constitution guarantees religious freedom in all parts of the United States. Article VI declares that "no religious test shall ever be required as a qualification to any office or public trust under the United States." The first amendment provides that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

Church of Latter-Day Saints. (See Mormon Church; Polygamy; and Utah.)

Churches and Church Property. (See Religious Establishments.)

Churchwell, Mr., correspondence of, referred to, V, 583.

Churubusco (Mexico), Battle of.—Churubusco was a strongly fortified place near the City of Mexico. The American army, in 2 divisions, under Generals Worth and Twiggs, attacked the Mexicans under Gen. Santa Anna, Aug. 20, 1847, a few hours after the action at Contreras. The Americans numbered 8,000 and the Mexicans 25,000. Early in the engagement the garrison at San Antonio was routed. The hottest fighting took place along the Rio Churubusco, where for some time the Americans were threatened with defeat, but rallying they drove the Mexicans before them. Simultaneously were taken the tête-du-pont, or bridgehead (the key to Santa Anna's position), and the Pablo de Churubusco. The conflict lasted 3 hours. Including the casualties of Contreras, the Mexican loss was 5,877. The Americans lost 1,015.

Churubusco (Mexico), Battle of, referred to, IV, 536.

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Cincinnati, Society of the.—A society originated in 1783 by Revolutionary officers. At the second general meeting in 1787 Washington was chosen president-general and was reelected every 3 years while he lived. The membership rolls were open only to the officers and their eldest sons, though a number of French officers were included. The hereditary principle aroused popular jealousy. It was denounced by the governor of South Carolina and the legislatures of Massachusetts, Pennsylvania, and Rhode Island. In 1784, at the solicitation of Washington, the society dropped the requirement of heredity, but the principle has since been reestablished and full membership is restricted to those having the hereditary right. A few distinguished men are admitted to honorary mem-

Cincinnati, Society of the—Continued.

bership, but the number is strictly limited. The chief immediate objects of the society were to raise a fund for the relief of the widows and orphans of those who fell in the Revolutionary War and to promote a closer political union between the States. The number of members, of both classes, is now (1906) 848.

Cipher Dispatches.—The result of the Presidential election of 1876 was for several months in doubt. During this period of uncertainty numerous telegraphic dispatches passed between the friends of Samuel J. Tilden, Democratic candidate for the Presidency. The dispatches were in cipher and purported to be instructions to party workers in South Carolina, Oregon, and Florida. Charges of fraud having been made, these dispatches were ordered turned over to the Senate Committee on Privileges and Elections. A large number of them came into the possession of the New York Tribune, which caused a sensation by publishing transcripts of them. Mr. Tilden in a letter emphatically denied all knowledge of them.

Circuit Courts. (See Courts, Federal.)

Circuit Courts of Appeals. (See Courts, Federal.)

Circulating Medium. (See Medium of Exchange.)

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Civil-Rights Act.—A law passed by Congress Apr. 9, 1866, over President Johnson's veto, placing the negro on the same civil footing as the white man (VI, 405). It provided that all persons born in the United States and not subjects of any foreign power, ex-

Civil-Rights Act—Continued.

cluding Indians not taxed, were to be recognized as citizens of the United States. The violation of the law was made a misdemeanor to be considered by the Federal courts alone. A long controversy ensued over the constitutionality of this law. The fourteenth amendment was framed in accordance with it (I, 37), and in 1875 more stringent measures were passed to secure the civil rights of the negro. In June, 1883, a number of cases were brought before the United States Supreme Court on certificates of division from the circuit courts of Kansas, California, Missouri, New York, and Tennessee. They were, respectively, *United States vs. Stanley*, *United States vs. Ryan*, *United States vs. Nichols*, *United States vs. Singleton*, and *Robinson and Wife vs. Memphis and Charleston Railroad Co.* The cases against Nichols and Stanley were on indictments for refusing the privileges of a hotel; against Singleton and Ryan for refusing admission to a theater. Robinson brought suit against the railroad company for refusing his wife a colored woman, the privileges of the ladies' car on the Memphis and Charleston Railroad. In the latter case, as well as that of Ryan, judgment was given for the plaintiff on the ground of violation of the first and second sections of the fourteenth amendment to the Constitution. In the other cases the court declared certain provisions of the civil-rights act of 1875 null and void and judgment was rendered for the defendants.

Civil Service.—January 16, 1883, Congress passed what is known as the civil-service law. This act established the United States Civil Service Commission, to be composed of 3 members, not more than 2 of whom should be adherents of the same political party. The act itself is a mere outline of its purposes, but for its amplification it provides for rules to be promulgated by the President, such rules to be equally binding with the statute upon the heads of Departments and offices, as well as upon the Commission. The fundamental purpose of the law and rules is to establish in the parts of the service within their provisions a merit system whereby selections for appointments shall be made upon the basis of demonstrated relative fitness without regard to political considerations. To carry out this purpose a plan of competitive examinations is prescribed. The term "classified service" indicates the parts of the public service within the provisions of the civil-service law and rules requiring appointments therein to be made upon examination and certification by the Commission. The term "unclassified service" indicates the parts of the service which are not within those provisions, and therefore in which appointments may be made without examination and certification by the Commission. Under the terms of the law positions outside the executive branch of the Government, positions to which appointment is made by the President and confirmed by the Senate, and positions of mere unskilled manual labor are not required to be classified. With these limitations, the President is authorized to direct from time to time, in his discretion, the heads of Departments and offices to extend the classified service. Under this authority

the classified service was gradually extended until it included in 1906, about 155,000 individual positions out of a total of about 291,000 in the entire civil service. The Commission has nothing to do with classifying any position except those in its own force. In the executive service not yet classified are the following: Consular service, post-offices without free delivery, governments of the District of Columbia and of Territories, Library of Congress, and some other parts of the service. A few positions which have been classified have afterwards been excepted from examination, and appointments to such positions may accordingly be made in the same manner as in the unclassified service. There are a few others to which appointments may be made upon non-competitive examination. The civil-service law and rules do not give to the Commission any power of appointment and removal; that power is left where it was prior to such law, namely, in the President and heads of Departments. Upon requisition of an appointing officer the Commission provides eligibles secured as the result of competitive examination; from the eligibles thus provided the appointing officer makes selection and appointment. When the Commission certifies 3 eligibles for any particular position, the appointing officer has absolute discretion in making selection and appointment from such eligibles, except that the rules require that selection shall be made without regard to political considerations. When certification is made the Commission's duty ends so far as an appointment is concerned, except, of course, it is charged with investigating and reporting any irregularity of appointment or removal. A vacancy in the classified service may be filled either by original appointment upon examination and certification by the Commission, as explained, or by transfer or promotion from certain other positions in the classified service, or by reinstatement of some person within 1 year from the date of his separation if separated without delinquency or misconduct. For a larger part of the positions in the classified service the Commission holds examinations on regular schedule dates throughout the country. No information can be given prior to their announcement as to when such examinations will be held or as to their scope and character. They are, however, always announced in the public press.

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Clayton-Bulwer Treaty.—John M. Clayton, Secretary of State, in 1850 concluded a treaty with Sir Henry Lytton Bulwer, representing Great Britain, for establishing communication between the Atlantic and Pacific oceans (V, 42). The treaty provided for a ship canal across Nicaragua and forbade exclusive control of canal communication by either party. It was succeeded by the Hay-Pauncefote Treaty, ratified by the Senate of the United States, December 17, 1901, which made the way clear for the United States to construct, own and operate an isthmian canal.

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Clearing House.—An institution set up by banking houses, railroad companies, or persons engaged in any department of trade or finance who have credit transactions with each other. In the course of a day's business each bank receives various amounts of commercial paper which must be debited to the account of other banks, and is itself not unlikely the debtor to one or more other banks. Before the establishment of the clearing house it was customary to have these accounts adjusted every morning, or at least every week. To do this it was necessary for each bank to have a messenger visit every other bank with which it had dealings and pay or receive the difference between the debit and credit sides of the account. The collection and payment of these balances became a laborious and dangerous part of the banking business. To do away with this cumbersome method of squaring accounts the clearing-house system was introduced. It was first established in London about the beginning of the nineteenth century. The banks of New York associated and began doing a clearing-house business Oct. 11, 1853. The New York clearing house is the largest in the world, the clearings averaging some \$302,234,600 per day, the total transactions since the clearing house was organized amounts to \$1,736,186,219,874. The number

of banks in the Clearing House Association varies slightly, the present number being 54. All the accounts of each of these 54 banks with each other are adjusted in just 1 hour each day—between 10 and 11 a. m. The debtor banks are required to pay the amount of their indebtedness to the clearing house in legal-tender notes or coin by 1.30 p. m. each day, and the creditor banks immediately receive the amounts due them from other banks or certificates of credit for the amounts. Impending financial crises may be averted by all the banks which are members of the clearing house pooling their reserve funds and taking certificates therefor. The associated banks of New York in this way made it possible for the Government to secure the necessary funds for carrying on the Civil War. The panic of 1873 was checked in a similar manner, as were also those of 1884, 1890, and 1893. In 1893 the Clearing House Association resolved that any member might present to the loan committee its bills receivable or other securities, together with its own obligations and receive therefor certificates for 75 per cent. of their par value, which certificates would be accepted in lieu of cash in the payment of balances at the clearing house. Railway companies and the various produce and stock exchanges have introduced the clearing-house system into their business. Similar institutions have been established in most of the large cities of the country.

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Coaling Stations. (See Naval Stations.)
Coast and Geodetic Survey.—A bureau of the Department of Commerce and Labor, having been transferred from the Treasury Department to the Department of Commerce and Labor, on the establishment of the latter in 1903. It is the duty of this bureau to survey the coasts and navigable portions of rivers under the jurisdiction of the United States; to take deep sea soundings; to make temperature, current and magnetic observations; and to determine heights and geographical positions, etc., of which is essential to navigation. In 1807 Congress authorized President Jefferson to inaugurate the Survey and appropriated \$50,000 for that purpose. F. R. Hassler was made Superintendent of the Survey. He began operations in the harbor of New York in 1817, but was soon compelled to suspend because of failure on the part of Congress to furnish the necessary funds. In 1832 the work was resumed under Mr. Hassler's superintendency and has ever since continued under the direction of eminent engineers. The work is founded upon a system of primary triangulation. Geographical positions are determined by astronomical observations. A chain of triangles has been laid out along the Atlantic coast from Bangor, Me., to the Gulf of Mex-

Coast and Geodetic Survey—Continued.

ico. This chain forms an oblique arch and is used as a base of operations for all coast and harbor surveys. Another system of triangles extends across the continent along the thirty-ninth parallel of latitude. The eastern portion of this line was surveyed by separate parties, one of which worked eastward from the Mississippi River and the other westward from the Atlantic Ocean. The two expeditions made a satisfactory juncture in southern Indiana in 1890. A check base was established here for the purpose of verifying all future surveys. This base is 5,500 meters long and was laid out with a 5-meter steel bar embedded in ice as a unit. The most approved scientific methods for obtaining accuracy are used in all the operations.

Coast and Geodetic Survey, act respecting printing of report of, in quarto form, returned, IX, 668.

Coast Cities, protection for. (See Defenses, Public, provision for.)

Coast Defenses. (See Defenses, Public.)

Coast Survey:

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Transfer of, to Navy Department recommended, VIII, 140.

Vessels employed in prosecuting, III, 618; IV, 687; VII, 140.

Coasts of United States, survey of, referred to, VII, 347.

Cobb, Capt., mentioned, II, 112.

Cobb, Howell, interview with Col. Key regarding exchange of prisoners of war, VI, 258.

Cobden Club.—An organization of leading English free traders, formed in 1866 in honor of Richard Cobden. It had for its object the promulgation of those principles with which Mr. Cobden's name as an ardent free trader was so intimately associated. It established headquarters in London and published many tracts, pamphlets, and books upon the subject of free trade for free distribution in America, England, and her colonies. The Cobden Club held its first dinner in London July 21, 1866, with W. E. Gladstone in the chair. June 27, 1868, a statue of Cobden was unveiled at Camden Town. In July, 1880, 12 out of 14 cabinet ministers were members. It has for honorary members several American economists and statesmen. Recently the Cobden Club has acquired a distinct political character, having become identified with the fortunes of the Liberal and Free-Trade Parties.

Cochetopah Forest Reserve proclaimed, XI, 1020.

Cochrane, Alex., order of, to British naval forces to destroy American coast towns and districts referred to, I, 551.

Codes. (See Criminal Code; Naval Code.)

Cœur d'Alène, Idaho, military reservation granted to city, X, 884.

Cœur d'Alène Indians.—A small tribe of the Salisan stock of Indians now living in Idaho and Washington. They call themselves Skitswish. A part of the tribe broke out into hostilities in 1858, but was subjugated and became peaceful. In 1867 a reservation was set apart for those in Idaho, and in 1872 a band in Paradise Valley was re-

moved to a reservation between the Okinagan and Columbia rivers. They numbered only about 427 in 1892.

Cœur d'Alène Indians, commission to negotiate with, for purchase of lands, IX, 58.

Coffee, John, Indians defeated by Tennessee militia under command of, I, 536.

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Coffin, George W., commander of the *Alert* in Lady Franklin Bay Expedition, VIII, 248.

Coffin, William G., treaty with Indians concluded by, VI, 192, 193.

Cohnawaga Indians, treaty with, referred to, I, 197.

Coinage. (See Coins and Coinage.)

Coinage Laws.—The subject of coinage received the early attention of the founders of the Government. Many and varied laws have been passed to regulate the proportion of pure gold, silver, copper, and nickel in the various coins and the ratio of one metal to another. The most important coinage laws, together with their main provisions, are as follows: The act of Apr. 2, 1792, provided that any person could have gold or silver coined at the mint, receiving therefor lawful coins of the same metal in equal weight. The standard of fineness for gold was 11 parts pure to 1 of alloy, and for silver 1,485 parts pure to 179 of alloy. The ratio of gold to silver was as 1 to 15, and both coins were legal tender. By the law of Mar. 3, 1795, the Treasurer retained 24 cents per ounce for silver below the standard and 4 cents for gold; and under that law the President by proclamation reduced the weight of the copper coin 1 pennyweight and 16 grains in each cent and in like proportion in each half cent (I, 191). By the law of Apr. 21, 1800, there was retained for deposits of gold and silver below the standard a sum sufficient to pay for refining. By the law of May, 8, 1828, a sum for materials and wastage was retained from silver bullion requiring the test. The law of June 28, 1834, provided that a deduction of one-half of 1 per cent. should be made from all standard gold and silver deposited for coinage if paid for in coin within 5 days from deposit. The law of Jan. 18, 1837, required the standard gold and silver coin to be made nine-tenths pure, one-tenth alloy, and to be a legal tender for any sum. By the law of Feb. 21, 1853, the weight of the half dollar was reduced from 206 $\frac{1}{4}$ to 192 grains and the lesser silver coins in the same proportion, and they were made legal tender to the amount of \$5. No private deposits for conversion into these coins were received, and charges of one-half of 1 per cent. were made for refining. The law of Feb. 12, 1873, provided for the coining of a "trade dollar," the weight of which was made 420 grains, and of the half dollar 193 grains; legal tender to the amount of \$5. No provision was made for the coinage of silver dollars of full legal-tender value. Silver

Coinage Laws—Continued.

bullion could be deposited for coinage into trade dollars only; gold for coinage for the benefit of the depositor. The directors of the mints were authorized to buy silver for coins of less than 1 dollar. One-fifth of 1 per cent. was charged for converting standard gold bullion into coin and silver into trade dollars. Silver coins, except trade dollars, were to be exchanged at par for gold coins in sums not exceeding \$100. The charges on gold coinage were removed in 1875. July 22, 1877, an act was passed by the provisions of which the trade dollar ceased to be a legal tender. Feb. 28, 1878, an act was passed by the terms of which silver dollars of 412½ grains were made legal tender for all debts, and the Secretary of the Treasury was authorized to purchase at market value and coin not less than \$2,000,000 and not more than \$4,000,000 worth of silver bullion per month. By the law of June 9, 1879, silver coins of less than 1 dollar were made legal tender to the amount of \$10. June 14, 1890, the law of 1878 was repealed and the Secretary of the Treasury was authorized to purchase 4,500,000 ounces of silver bullion per month, issuing legal-tender notes in payment, and to make a sufficient monthly coinage for the redemption of these notes. In 1893 the silver-purchase clause of this act was repealed. In 1900 a new coinage law was passed which made the gold dollar the standard of value in this country and increased the reserve for the redemption of legal-tender notes. The law also permitted the national banks to issue notes to the amount of the par value of the bonds deposited and reduced the tax upon the circulation of the banks.

Coins and Coinage (see also Coinage Laws; Coins, Foreign):**Act—**

Authorizing coinage of standard silver dollars vetoed, VII, 486.

Directing coinage of silver bullion in Treasury vetoed, IX, 483.

Bland-Allison Act—

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Cleveland, VIII, 342, 512, 788.

Harrison, Benj., IX, 40.

Hayes, VII, 559, 616.

Vetoed by President Hayes, VII, 486.

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Cleveland, VIII, 342, 512, 787; IX, 401, 443, 533, 564, 641, 724.

Harrison, Benj., IX, 39, 113, 193, 318.

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Silver coinage—**Act—**

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Colbert, Levi, reservations sold to United States by, II, 47.

Colby, J. C. S., consul at Chin-Kiang, China, appointment of, discussed, VII, 305.

Cold Harbor (Va.), Battle of.—Finding Lee's position on the North Anna too strong, Grant turned Lee's right wing, crossed the Pamunkey River at Hanover Court-House, and after considerable fighting reached Cold Harbor, to the northeast of Richmond. Lee had arrived there before the Federal army and was well intrenched. On the afternoon of June 1, 1864, an attack on the Confederate lines was made. It resulted in a loss of 2,000 men to the Federals and no advantage in position. June 2 was spent in skirmishing. At daylight June 3 a general assault was made on the Confederate lines, but it was repulsed after half an hour's fighting, with a loss of 7,000 men to Grant and a much smaller number to the Confederates. The strength of the Federal forces was about 150,000 and that of the Confederates about 65,000. For the next 10 days the armies lay confronting each other. June 12 Grant decided to approach Richmond from the south. Accordingly the army passed from the Chick-

Cold Harbor (Va.), Battle of—Continued.

ahominy to the James River between the 12th and 15th of June and took up the line of march to Petersburg. The Federal losses in the operations at Cold Harbor, including the conflict at Bethesda Church and the march across the Chickahominy and James rivers to the front of Petersburg, were 14,931. The Confederate loss was about 1,700.

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Collins, Joseph B., act to amend act for relief of, vetoed, VII, 544.

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Collins, Thomas F., claim of, against Spain, IX, 83.

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Colombia.—A Republic of South America, named from Columbus. It is bounded by the Caribbean Sea on the north, Venezuela, and Brazil on the east, Ecuador, Brazil, and Peru on the south, and the Pacific Ocean, and Panama on the west. It is traversed by the Andes; the soil is most fertile but agriculture is in a very undeveloped state, the mineral wealth is also very great. Lack of transportation facilities retard the development of both the mining and the agriculture. Its chief exports are gold, silver, precious stones, hides and rubber. The prevailing language is Spanish, the religion mainly Roman Catholic. The government is vested in a President and a Congress composed of a Senate and Chamber of Representatives. There are 8 Departments. Spanish power was established during the first half of the sixteenth century and independence was proclaimed in 1811. In 1819 this territory, with Venezuela and Ecuador, formed the Republic of Colombia, from which Venezuela and Ecuador withdrew in 1831. In the latter year the Republic of New Granada was founded. The name United States of Colombia was adopted in 1863. In 1886 the present constitution was formed. In November, 1903, the Department of Panama proclaimed its independence and was at once recognized by this country, an example quickly followed by European Powers. (See also Panama Canal.) The Republic has an area of 473,162 sq. miles and a population, according to the census of 1881, of 3,593, 600, but a more recent estimate places it at about 4,500,000.

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American citizens in New Granada, outrages on, V, 415, 518.

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Minister of United States to New Granada, reasons for not presenting credentials discussed, VI, 147.

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Vessels of United States seized or interfered with by, VII, 335, 404.

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Colon Fire Claims, mentioned, X, 716.

Colonel Lloyd Aspinwall, The, seizure of, by Spain, and award to United States discussed, VII, 98.

Colonial System.—It was the custom of European countries having colonies in America to manage them solely for the profit and convenience of the mother country. In this Great Britain was no more culpable than other European nations. Great Britain's policy has of late become more liberal, her colonial possessions, wherever capable of being self-governing.

Colonization of Negroes. (See Negroes.)

Colonization Society, American.—A national organization formed at Washington, D. C., Jan. 1, 1817, for the purpose of encouraging the emancipation of slaves by providing a place outside the United States to which they might emigrate when freed. The scheme was also intended to relieve the South of the free black population. Numerous branches of the society were soon organized in many States. Free negroes were first sent to Sierra Leone, then for a short time to Sherbro Island, and in 1821 a permanent location was purchased near Cape Mesurado. In 1847 the colony declared itself an independent republic under the name of Liberia. It was recognized by the United States in 1861.

Colonization Society, American, agreement with, discussed, V, 528, 593, 649.

Colorado.—One of the United States, named from the Colorado River; nickname, "The Centennial State;" motto, "Nil sine numine." It lies between lat. 37° and 41° north and long. 102° and 109° west. It is bounded on the north by Wyoming and Nebraska, on the east by Nebraska and Kansas, on the south by New Mexico and Oklahoma, and on the west by Utah. It is formed partly from territory included in the Louisiana Purchase and partly from that acquired from Mexico in 1848. Colorado is traversed by the Rocky Mountains and is noted for its beautiful scenery, formed by lofty peaks and deep canyons. Colorado is the chief gold and silver producing State in the Union and its iron, copper, coal and lead mines are also important. Extensive irrigation has contributed largely to the success of its agriculture, and stock-raising is one of its most important industries. The excellent climate has rendered the State noted as a health resort, especially in cases of pulmonary disease. It was organized as a Territory in 1861 and admitted as a State in 1876 (VII, 392). President Johnson vetoed two acts on this subject (VI, 413, 483). Area, 103,925 sq. miles; population (1905), 700,000.

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Columbus Barracks, Ohio, new buildings for recruiting service at, referred to, VIII, 77.

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Columbus, Ohio, establishment of mint at, referred to, VII, 357.

Colville Reservation, Wash., agreement for cession of lands on, IX, 213.

Colwell, George, act to increase pension of, vetoed, VIII, 835.

Comanche Indians.—A savage tribe of the Shoshonean stock of Indians, who were early engaged in disastrous wars with the Spanish settlers. In 1724 they were on the Upper Kansas River and later were south of the Red River, in Texas. Their recent territory was the extensive plains from the Rocky Mountains eastward into the Indian Territory and Texas, and they raided the country from Kansas southward as far as Durango, Mexico. They were expelled from Texas and became bitter enemies of that State. After harassing the settlers of the Southwest for some time they were finally located in the western part of Indian Territory. In 1868 they numbered about 2,500.

Comanche Indians:

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Commerce and Labor, Department of.—In order to relieve some of the executive departments of the Government of the burden of greatly increased duties, and in response to the petitions of the industrial and commercial classes of the country for the establishing of a separate department of the Government to care for their interests, the Department of Commerce and Labor was created by an act of Congress approved February 14, 1903. Like the Department of the Interior it is composed of unrelated bureaus and branches of the public service. The fundamental purpose of the department is to promote the foreign and domestic commerce, the mining, manufacturing, shipping, and fishing industries, the labor interests and the transportation facilities of the United States. The only new offices created by the act were the Bureau of Corporations and the Bureau of Manufactures. The Light House Board, the Light House Establishment, the Steamboat Inspection Service, the Bureau of Navigation, the United States Shipping Commissioners, the National Bureau of Standards, the Coast and Geodetic Survey (q. v.), the Commissioner-General of Immigration, the Commissioners of Immigration, the Bureau of Immigration, the Immigration Service at Large, the Bureau of Statistics (q. v.), and the Alaska Fur Seal Service were transferred to the Department of Commerce and Labor from the Department of the Treasury. The Census Office was transferred to the Department of Commerce and Labor from the Department of the Interior. The Bureau of Foreign Commerce was taken from the Department of State and made a part of the Bureau of Statistics of the Department of Commerce and Labor. And the Department of Labor, the Fish Commission (q. v.), the Office of Commissioner of Fish and Fisheries, which had heretofore existed as independent

branches of the public service, were incorporated in the Department of Commerce and Labor. The Bureau of Corporations, the head of which is a Commissioner, is one of the most important divisions of the department. It has authority to make investigation into the organization, conduct, and management of business of any corporation, joint stock company, or corporate combination (except common carriers) engaged in commerce among the several States and with foreign nations, and has the same power in respect to these as is conferred upon the Interstate Commerce Commission (see Interstate Commerce). It is the function of the Bureau of Manufactures to aid the manufacturing industries of the United States, and to assist them in gaining markets at home and abroad by supplying all available information concerning the various industries and their markets. To aid in this all consular officers, under the direction of the Secretary of State, are placed at the service of the Secretary of Commerce and Labor. The Bureau of Labor, of the Department of Commerce and Labor, was formed out of the Department of Labor (see Labor, Department of). This department had been created (1888) to succeed the Bureau of Labor which had been established in the Department of the Interior in 1884. It is the duty of the Bureau of Labor to collect and distribute information on all subjects connected with labor, its hours, earnings, relations to capital, disputes, etc. The first Secretary of the Department was George B. Cortelyou, who served from February 16, 1903 until July 1, 1904, when he was succeeded by Victor H. Metcalf.

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Commissions (see also Cherokee Commission; Mission Commission; Sioux Commission): To treat with Indians for cession of lands discussed, X, 46.

Committee.—One or more persons, elected or appointed, to whom any matter or business is referred, either by a legislative body or by a court or by any collective body of men acting together. It is the custom in all American legislative bodies to appoint committees for the transaction of their business. It is the duty of these committees to report to the central body their conclusions on all matters referred to them, thus presenting for discussion well-shaped or completed legislation, saving much valuable time and securing more concentrated effort. The committee system of conducting business was developed by the British House of Commons during Queen Elizabeth's reign and was in full operation during the Commonwealth. It has, however, been partially superseded in England by the system of cabinet government. During early colonial days Virginia, Maryland, New York, Pennsylvania, and North Carolina copied the system from England, and the familiarity of the members of the Continental Congress with its workings naturally led to its use in that body. After the adoption of the Constitution Congress made sparing use of the committee system, but by 1820, under Speaker Clay, the system of standing committees had reached full development. The Senate followed slowly. The Senate appoints its own committees. This was formerly the custom in the House, but soon their appointment was given to the Speaker, which adds greatly to his power.

Committee of the Whole.—It is the regular custom of legislative bodies, both in this country and in Europe, to intrust or commit all proposed legislation to committees appointed for the purpose of considering special subjects. These make reports and recommendations to the whole body. For the purpose of deliberating upon matters of general interest not comprehended in the scope of the regular committees, the entire legislative body sometimes resolves itself into a committee of the whole, under the chairmanship of some member other than the regular presiding officer. In the United States Congress the rules and practice of the House recognize two Committees of the Whole—namely, the Committee of the Whole House on the state of the Union, to which are referred public business and bills appropriating public money or property, and the Committee of the Whole House, to which are referred private bills and private business. The rules of proceeding in the House are observed in the Committee of the Whole so far as they are applicable. No legislation can be enacted by the Committee of the Whole.

Committees of Correspondence.—As early as 1744 the legislature of Pennsylvania had a committee of correspondence. The stated purpose of this committee was to keep up correspondence with the agents of the Colony in the mother country, but their real work consisted in uniting the Colonies in protest against the oppression of the parent Government. In a Boston town meeting in 1772 Samuel Adams moved that a committee be appointed to state the rights of the colonists and correspond with other Colonies and

towns of New England. The system of secret correspondence thus established served to nourish the spirit of revolution in the Colonies. In the Virginia legislature similar committees were proposed in 1773 and advocated by Dabney Carr, Patrick Henry, and Richard Henry Lee. The Virginia resolutions tended more directly toward forming a confederacy than those of Massachusetts or any of the other Colonies.

Committees of Safety.—When organized opposition to the tyrannical acts of Parliament became a necessity, committees of safety were formed in each of the Colonies for the purpose of resisting the authority of the royal governors. A committee of 11 was appointed by the second provincial congress of Massachusetts in February, 1775, to resist the execution of the laws. It was empowered to muster the militia and seize army supplies. It communicated with similar committees in other Colonies. As the Revolution advanced these committees assumed the powers formerly held by the governors and continued to act as a sort of executive committee until the adoption of the State constitution.

Commodore.—Formerly a courtesy title given in the United States Navy to the senior officer of a squadron. By an act passed in 1857 the senior captain of a fleet was known as the flag officer. The grade of commodore was created in 1862, along with that of rear-admiral, and established as the grade next above that of captain. This grade had the relative rank of a brigadier-general in the Army. Until that year a captain was the highest naval officer recognized by law. A captain or flag officer who commanded more than one vessel at a time was by common consent called commodore, and the title, once applied, generally clung to him. The title of commodore was abolished by the naval personnel act approved Mar. 3, 1899, and the number of rear-admirals was increased by the same act to 18.

Common Law.—Common Law is defined to be those rules of action which have grown up from old usage and the decisions of judges. In the United States the term "common law" means that of England, including unwritten maxims and customs immemorial in that Kingdom and the statutes passed by the English Parliament before the independence of the Colonies. July 4, 1776, is the date fixed by many States, but the rule is not uniform. With the exception of Louisiana, this forms the basis of the jurisprudence of all States. In many of them it has been expressly adopted by statute or constitutional provision. Under the first Constitution of the Colonies the people were declared entitled to the benefits of the common law of England, but it was left for the colonial courts to decide what common law was. The courts placed various constructions upon existing statutes and colonial legislatures modified the text in various ways. After the Constitution was adopted the strict constructionists maintained that there was no common law in respect to the jurisprudence of the Federal Government, the nationalists taking the opposite view. Federal courts sitting in a Territory adopt common law rules of decision in the absence of statutes; in a State they adopt the common law of that State. The United States as a district sovereignty has no common law,

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and therefore there can be no common law offenses against it, but the Federal courts adopt the common law definition of common law crimes not defined by statute.

Commons.—In early New England towns, on account of lack of facilities for fencing, part of the land, and in some instances all, was cultivated in common. Common cultivation was carried on in some of the towns on an extensive scale. No matter how large the area cultivated, all the people were interested in the work. Sometimes authority over such lands was given to the selectmen. The right of each freeman to a portion of the common lands was scrupulously maintained. The cultivators were known as proprietors, and were sometimes a separate body from the town organization proper. Common cultivation was derived from an English custom. (See Acre Right.)

Comonfort, Ignacio, President of Mexico, election of, discussed, V, 563.

Compensated Emancipation. (See Emancipation.)

Competitor, The, persons claiming American citizenship captured on, by Spanish authorities, IX, 748, 751; X, 37.

Compromise, Missouri. (See Missouri Compromise.)

Compromise of 1833.—The high tariff of 1828 caused much dissatisfaction throughout the South. By the act of July 14, 1832, amending the tariff law of 1828, many of the revenue taxes were reduced and the first tax was laid on woolen yarn. The oppressive features of these laws were more bitterly opposed in South Carolina than elsewhere, and resulted in the nullification of the law by that State. This was done by a convention held at Columbia Nov. 19, 1832, which by ordinance declared the tariff acts of 1828 and 1832 null and void. Thus the question of nullification in its fullest development was brought into national prominence. Mar. 1, 1833, Congress enacted a new tariff law in the nature of a compromise. It was practically the same bill as that introduced in the Senate by Henry Clay. It provided for the gradual scaling down of the high duties then existing until after 10 years a free-trade basis should be reached. This compromise took the place of a low-tariff measure then under consideration in the House. The latter provided for a gradual scaling down of all duties so that 20 per cent. should be the standard duty in 1842. (See also Nullification.)

Compromise of 1833, diminution of duties under, referred to, IV, 102.

Compromise of 1850.—On Jan. 29, 1850, Henry Clay introduced 6 resolutions in the Senate relating to (1) the admission of California as a free State; (2) Territorial governments for Utah and New Mexico without conditions as to slavery; (3) boundaries of Texas; (4) payment of Texas debt; (5) suppression of the slave trade in the District of Columbia; (6) fugitive-slave laws. A special committee of 13, with Clay as chairman, combined these resolutions into one omnibus bill, which failed of passage. After the defeat of this (Clay's omnibus) bill several separate bills, having practically the same purpose of compromising on the slavery question, were introduced and passed. Under the compro-

mise Texas was allowed \$10,000,000 for New Mexico, and the area of that Territory was reduced. Sept. 9, 1850, California was admitted to the Union with her free constitution. On the same day bills were passed for establishing Territorial governments in New Mexico and Utah. These laws contained Senator Soule's slavery-option clause. Sept. 12 amendments to the fugitive-slave law of Feb. 12, 1793, was passed, denying arrested negroes trial by jury and prohibiting redress to free colored seamen imprisoned in Southern ports.

Compromise of 1850 (see also Slavery): Adherence to, recommended, V, 92, 138. Discussed, V, 222.

Compromises of the Constitution.—Three important compromises were made by the Constitutional Convention in 1787. The most important question that agitated the members was whether each State's influence should be equal to that of any other State, or whether representation should be based upon population. The plan proposed by Edmund Randolph, of Virginia, and called the "Virginia plan," favored representation in both Houses according to population; that of William Paterson, of New Jersey, an equal vote for all States and only one House. As a compromise, proposed by William Samuel Johnson, of Connecticut, and originally suggested by George Mason, of Virginia, the Convention agreed to have two Houses with equal representation in the Senate and proportionate representation in the House. Secondly, it was proposed to tax both exports and imports at the discretion of Congress. Charles Cotesworth Pinckney, of South Carolina, declared that his State could not come into the Union under such a provision, as her wealth consisted mainly in one article of export—rice. It was therefore decided that no tax upon exports should be laid. Thirdly, North Carolina, South Carolina, and Georgia refused to enter the Union if the slave trade was to be prohibited; so the third compromise agreed to was that Congress should not prohibit traffic in slaves before 1808 and that a fugitive-slave law should be enacted.

Comptroller of Treasury referred to, II, 216.

Comstock, Cyrus B.:

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Conard, John, memorial of, asking aid of Congress in discharge of judgment, II, 474.

Concord, The, mentioned, X, 73, 189, 584, 587, 589.

Concord (Mass.), Battle of.—One of the opening skirmishes of the Revolutionary War. A detachment of 800 British soldiers under Lieut. Col. Smith and Maj. Pitcairn had been sent from Boston to destroy or capture some military stores collected at Concord by the Americans. After a brief engagement at Lexington they reached Concord Apr. 19, 1775, where they were opposed by 300 minutemen under Col. Barrett and Maj. Buttrick. After a sharp conflict, in which several were lost on each side, the British fled to Boston under a harassing fire of the Americans. (See also Lexington (Mass.), Battle of.)

Confederate Cabinet.—The Confederate States had a cabinet composed of the heads

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of executive departments, similar to the United States Government and created for like purposes. The heads of the departments exercised similar powers and were clothed with duties and responsibilities corresponding to those of Cabinet officers in the United States. The President was empowered to remove members of his cabinet. Congress was authorized to provide for the admission of cabinet officers to a seat in either house, with the privilege of participating in debates pertaining to their departments. This provision remained inoperative, as the congress failed to provide the appropriate legislation. The secretaries of state were Robert Toombs, of Georgia, Robert M. T. Hunter, of Virginia, and Judah P. Benjamin, of Louisiana; of the treasury, Charles G. Memminger and George A. Trenholm, of South Carolina; of war, L. Pope Walker, of Alabama, Judah P. Benjamin, of Louisiana, George W. Randolph, of Virginia, James A. Seddon, of Virginia, and John C. Breckenridge, of Kentucky; of the navy, Stephen R. Mallory, of Florida; postmaster-general, John H. Reagan, of Texas; attorneys-general, Judah P. Benjamin, of Louisiana, Thomas Bragg, of North Carolina, Thomas H. Watts, of Alabama, and George Davis, of North Carolina. The last member of this cabinet, John H. Reagan, died at Palestine, Tex., on March 6, 1905.

Confederate Congress.—The provisional congress of the seceding Southern States met at Montgomery, Ala., Feb. 4, 1861. Two sessions were held here. The government removed to Richmond, Va., May 24, 1861. The last two sessions were held in the latter city, final adjournment taking place Feb. 17, 1862. The first Confederate congress held 4 sessions between Feb. 18, 1862, and Feb. 18, 1864, to organize the Confederacy, frame a constitution, and devise means for carrying on the war. It consisted of 24 senators and about 100 representatives. The second Confederate congress had 2 sessions between May 2, 1864, and Mar. 18, 1865.

Confederate Constitution.—The constitution adopted by the Confederate States of America at Montgomery, Ala. A provisional congress, composed of delegates from the seceding States, met in that city Feb. 4, 1861, and on the 8th of that month adopted a provisional or temporary constitution. Mar. 11 they agreed upon a permanent constitution, which was afterwards ratified by all the seceding States. It was based upon that of the United States, with the following chief exceptions: It recognized the principle of State sovereignty and the protection of slavery in all new territories; it prohibited internal improvements at federal expense and contained a prohibition against laying any duties on imports "to promote or foster any branch of industry;" new States were to be admitted by a vote of the States; State legislatures could impeach Confederate officers acting within their jurisdiction; the president was to be elected for a term of 6 years and was ineligible for reelection; the appropriating power of congress was limited, and the right of debate in congress was extended to heads of departments. (See also Confederate States.)

Confederate Flags:

Captured, to be presented to Congress, VI, 108.

Return of Union and, to respective States recommended, VIII, 578.

Proposition withdrawn, VIII, 579.

Confederate Soldiers, proposed national care of graves of, XI, 1164.

Confederate States.—A government formed in 1861 by the States of South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas. Later Arkansas, North Carolina, Virginia, and Tennessee seceded from the Union and joined the Confederacy. The provisional congress met at Montgomery, Ala., Feb. 4, 1861, and adopted a provisional constitution Feb. 8. Jefferson Davis was elected provisional president and Alexander H. Stephens provisional vice-president. Later a permanent government was organized. A permanent constitution was adopted Mar. 11, 1861. Mr. Davis and Mr. Stephens were elected president and vice-president, respectively, and they were inaugurated Feb. 22, 1862, at Richmond, Va., which was made the permanent seat of government. The history of the Confederate States is almost entirely confined to a history of the Civil War. The United States Government denied the right of any State to secede from the Union, refused to recognize the Confederate States as anything more than rebellious members of the Union, and immediately took measures to bring them into subjection. The Confederate States were granted belligerent rights by most of the maritime nations, but their independence was recognized by none (VI, 126, 367). Money was obtained by the issue of treasury notes and by loans on cotton. After a war of 4 years the government of the Confederate States practically came to an end with the surrender of Gen. Lee at Appomattox, Apr. 9, 1865.

Confederate States (see also Confederate Constitution; Reconstruction; Restoration; Secession; Slavery; Southern States; War between the States):

Acts for admission of certain Southern States vetoed, VI, 648, 650.

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 Rebel debt referred to, VI, 385, 390.
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 Union and Confederate flags, return of, to respective States recommended, VIII, 578.
 Proposition withdrawn, VIII, 579.
Confederate Veterans. (See United Confederate Veterans.)
Confederation, Articles of.—The Second Continental Congress appointed on June 11, 1776, a committee to draw up Articles of Confederation and Perpetual Union. This committee presented a draft to Congress July 12, 1776. Nov. 15, 1777, they were adopted with amendments as "Articles of Confederation and Perpetual Union between the States." July 9, 1778, the Articles were signed by delegates from 8 States. Mar. 1, 1781, the delegates from Maryland also signed, and on the same date the final ratification was ordered by Congress. The original is indorsed: "Act of Confederation of the United States of America." These Articles provided for a single House of Congress with power to raise money by requisitions on the States. Ratification of the Articles by all the States was necessary, and they could not be amended save by consent of every State. They did not operate on individuals and could not command respect abroad or enforce order at home. After numerous futile attempts to amend them a convention, following the suggestion of the

Virginia and Maryland boundary commissioners, was called at Annapolis, Md., in 1786, which in turn called a convention at Philadelphia in 1787. The last-named body rejected the Articles of Confederation and framed instead the present Constitution, which, after its ratification by 9 States, became the supreme law of the land (I, 9).

Confederation, Articles of, I, 9.

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Conger, P. H., treaty with Indians concluded by, VI, 703.

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Congo Free State.—A state in western Africa. It lies mostly on the left bank of the Lower Congo and the Mobangi. The State was constituted by the Berlin Conference in 1885, with Leopold II, of Belgium, as the sovereign. By his will, dated Aug. 2, 1889, he bequeathed all his sovereign rights to Belgium. By a convention in 1890 he gave Belgium the right to annex the State after 10 years; this right was confirmed by an Act of 1901. The chief exports are ivory, nuts, rubber, coffee, cocoa and tobacco, etc. Area estimated at 900,000 sq. miles; population about 30,000,000.

Congo Free State:

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Valley of Congo opened to commerce discussed, VIII, 175.

Congress.—A formal meeting or association of persons having a representative character for the enactment of laws, or the consideration of some special subject, or the promotion of some common interest. In the United States all legislative powers are granted by the Constitution to Congress. This body consists of the Senate (q. v.) and the House of Representatives (q. v.). The powers of Congress are enumerated in the Constitution, Article I, section 8, and all the powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively or to the people. The power of Congress is absolute within the scope of its authority except as it may be restrained by the veto of the President. The Senate is composed of 2 members from each State regardless of size or population. The members of the House are apportioned on the basis of Federal population. The Constitution provides (Article V) that "no State, without its consent, shall be deprived of its equal suffrage in the Senate." The Senate is presided over by the Vice-President of the United States, who is also President of the Senate, and the House of Representatives by a Speaker chosen by its members. The Vice-President has no vote except in cases where the Senate is equally divided. Congress is required to "assemble at least once in every year, and such meeting shall be on the first Monday in December unless they

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shall by law appoint a different day." Measures that have passed both Houses are sent to the President, who may either approve or veto them, or do neither, in which latter case the measure becomes a law after 10 days from the time it is presented to him, unless in the meantime Congress shall have adjourned. If he approve the bill and sign it, it becomes a law, but if he disapprove it he must return it with his objections to the House in which it shall have originated for reconsideration by them. In such a case, after reconsideration, it requires the affirmative vote of two-thirds of the members in each of the two bodies to pass the measure. Legislation which exceeds the constitutional power of Congress may be declared unconstitutional and void by the Supreme Court of the United States when that body is properly appealed to by either party to any controversy arising in an attempt to enforce such legislation. Each House is by the Constitution "the judge of elections, returns, and qualifications of its own members" (I, 23). (See also Senate and House of Representatives and Apportionment.)

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- Expresses regret upon being notified of President Washington's intention to retire, I, 208.
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- Members of. (See Representatives.)
- Privileges of, letter relating to, transmitted, I, 303.
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- Treaties—
- Assent of, to, not required, I, 196.
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 - Breach of duty by public officers in publishing executive business of, discussed, V, 155.
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 - Can hold only correspondence with the President in executive session, IV, 321.
 - Correspondence respecting relations with Spain refused, IX, 669.
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 - Extraordinary sessions of, convened by proclamation of President—
 - Adams, John, I, 316; II, 657.
 - Adams, J. Q., II, 431.
 - Arthur, VIII, 34, 286.
 - Buchanan, V, 495, 550, 625, 672.
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 - Fillmore, V, 110, 191.
 - Referred to, V, 190.
 - Grant, VII, 12, 133, 217, 324, 436.
 - Harrison, Benj., IX, 382.
 - Hayes, VII, 639.
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 - Jackson, III, 289.
 - Jefferson, I, 461.
 - Johnson, VI, 521.
 - Lincoln, VI, 161, 273.
 - McKinley, X, 245.
 - Madison, I, 586.
 - Monroe, II, 287.
 - Pierce, V, 426.
 - Polk, IV, 689.
 - Tyler, IV, 367.
 - Van Buren, III, 640.
 - Washington, I, 138, 212, 587. - (See also Congress, *ante*.)
- Free confidential communication with Executive should be preserved, II, 327.
- In confidential correspondence with President, I, 152, 510; II, 83.
- In executive session can only hold correspondence with President, IV, 321.
- Information regarding—
- Annexation of Texas refused, IV, 382.
 - Negotiations with Great Britain, Costa Rica, and Nicaragua refused, V, 154.
 - Proposition to annex Hawaiian Islands refused, V, 155, 159.
 - Nominations to. (See Executive Nominations.)
 - President Washington meets and advises with, respecting treaty with Indians, I, 61.
 - Protests of Presidents against action of. (See Protests.)
 - Requested by President Adams to postpone adjournment of, I, 267.
 - Treaties, power to make, vested in President with consent of, I, 195.
- Congress, Confederate.** (See Confederate Congress.)
- Congress, Continental.** (See Continental Congress.)
- Congress of Nations.** (See Panama, Isthmus of.)
- Congressional Elections:**
- Federal supervision of, recommended, IX, 55, 127, 331.
 - Gerrymander discussed, IX, 208.
- Congressional Globe.**—That part of the proceedings of Congress which was published between 1833 and 1873. The Globe was first issued as a newspaper. Later it succeeded the Register of Debates. It was succeeded by the Congressional Record. (See also Annals of Congress; Congressional Record; Register of Debates.)
- Congressional Record.**—A complete record of the debates and proceedings of Congress from December, 1873, to the present time. It is the successor to the Congressional Globe, and is printed and circulated by the Government. The Congressional Record is issued daily during the sessions of Congress. Each member of Congress is gratuitously supplied with a specified number for his constituents. It may also be obtained by subscription, the price being \$8 for the long and \$4 for the short session. (See also Annals of Congress; Congressional Globe; Register of Debates.)
- Congressman-at-Large.**—A member of the United States House of Representatives elected by the voters of an entire State, and not, as is customary, by those of a Congressional district. The election of a Congressman-at-large is a device adopted by a State to secure proper representation in Congress under a Federal apportionment act pending the passage of a State law redistricting the State in accordance with the Federal allowance of Representatives. The apportionment act of January 16, 1901, provides that after Mar. 3, 1903, the House of Representatives shall be composed of 386 members, apportioned as follows: Alabama, 9; Arkansas, 7; California, 8; Colorado, 3; Connecticut, 5; Delaware, 1; Florida, 3; Georgia, 11; Idaho, 1; Illinois, 25; Indiana, 13; Iowa, 11; Kansas, 8; Kentucky, 11; Louisiana, 7; Maine, 4; Maryland, 6; Massachusetts, 14; Michigan, 12; Minnesota, 9; Mississippi, 8; Missouri, 14; Montana, 1; Nebraska, 6; Nevada, 1; New Hampshire, 2; New Jersey, 10; New York, 37; North Carolina, 10; North Dakota, 2; Ohio, 21; Oregon, 2; Pennsylvania, 32; Rhode Island, 2; South Carolina, 7; South Dakota, 2; Tennessee, 10; Texas, 16; Utah, 1; Vermont, 2; Virginia, 10; Washington, 3; West Virginia, 5; Wisconsin, 11; Wy-

Congressman-at-Large—Continued.

oming, I. It also provided that Congressmen shall be elected from districts composed of contiguous territory and containing as nearly as possible an equal number of inhabitants, the number of such districts equaling the number of Representatives to which the State is entitled; but "in case of an increase in the number of Representatives which may be given to any State under this apportionment such additional Representative or Representatives shall be elected by the State at large and the other Representatives by the districts now prescribed by law until the legislature of such State, in the manner herein prescribed, shall redistrict such State." The present membership of the House is thus 386. (See Apportionment and House of Representatives.)

Conklin, I. B., mentioned, X, 800.

Conkling, Alfred, mentioned, V, 237.

Connecticut.—One of the thirteen original States of the American Union; nickname, "The Nutmeg State;" motto, "Qui transtulit sustinet" (He who transplanted still sustains). It lies between lat. $41^{\circ} 55'$ and $42^{\circ} 3'$ north and long. $71^{\circ} 55'$ and $73^{\circ} 50'$ west. It is bounded on the north by Massachusetts, on the east by Rhode Island, on the south by Long Island Sound, and on the west by New York. Connecticut is largely a manufacturing State, due to its position which gives easy access to the large distributing centers, its chief products are hardware, firearms, silks, cotton and woollen goods, and clocks. Connecticut was settled by English Colonists from Plymouth, Mass., about 1635, although the Dutch had been there somewhat earlier. Charles II granted a charter to the Connecticut and New Haven Colonies in 1662, and soon thereafter they united. The present constitution was adopted in 1818. Area, 4,990 sq. miles; population (1900), 908,420.

Connecticut:

Ratification of amendment to Federal Constitution by, referred to, I, 259.

Refusal of governor of, to furnish militia for defense of frontier, I, 516.

Connecticut River, practicability of connecting Lake Memphremagog with, II, 307.

Connelly, Julia, act for relief of, vetoed, VIII, 448.

Conner, Capt., mentioned, IV, 321.

Conner, Lieut., court-martial of, II, 284.

Conservatives.—A faction of the Democratic party who from 1837 to 1840 voted with the Whigs against the subtreasury bill. On other questions the Conservatives acted with their party. The term is generally applied to those members of a political party who oppose radical measures of any kind.

Conspiracies, Unlawful. (See Illegal Combinations.)

Constantinople, Turkey:

Expulsion of Greeks from, V, 241.

International conference to be held at, upon subject of cholera referred to, VI, 378.

Robert College at, referred to, VI, 702.

Constellation, The.—The flagship of Commodore Thomas Truxtun of the squadron sent to protect American shipping in the West Indies during our troubles with France in 1799. The *Constellation* was built at Baltimore and commissioned in 1798. Feb. 9, 1799, she defeated and captured the French frigate *L'Insurgente*, of 40 guns. Feb. 1, 1800, she de-

feated *La Vengeance*, of 54 guns, which, after a fierce engagement, escaped, owing to a storm. Congress presented Truxtun with a gold medal and a vote of thanks for his bravery during this engagement.

Constitution.—Fundamental law in a limited or free government. As applied to the United States of America or to any State of the American Union, the constitution is a written statement of the powers of government. The people who hold the elective franchise are by prescribed forms called upon to establish their constitution, which they may subsequently amend in accordance with its provisions. When established the constitution is paramount to the government organized under it. If any department of the government exceeds its authorized powers, the act is irregular and void. Thus, if an act of Congress or of a State Legislature does not conform in its terms to the constitution, which declares itself to be the supreme law of the land or of the State, as the case may be, the Federal or State Supreme Court, as the case may be, may decide the act in question to be unconstitutional and therefore of no effect. In Great Britain the constitution consists of customs, traditions, royal charters, statutes of Parliament, the common law, the Magna Charta, the Declaration of Rights, the Act of Settlement, the Reform Bill, etc. The British constitution has never had the direct sanction of the people; the Constitution of the United States and of each State of the Union has received such sanction. The Constitution of the United States was framed in a convention of the States, except Rhode Island, at Philadelphia in 1787, and went into effect Mar. 4, 1789, having been ratified by eleven of the thirteen States. North Carolina and Rhode Island ratified it Nov. 21, 1789, and May 29, 1790, respectively. (See also Amendments.)

Constitution:

Amendment to—

Fourteenth, recommendation that disabilities imposed under, be removed, VII, 153, 255.

Proclamation directing discontinuance of prosecutions, VII, 176.

Joint resolution proposing, VI, 643.

Joint resolution proposing fourteenth, opposed, VI, 391.

Question of Congress proposing, until after admission of loyal Senators and Representatives of unrepresented States referred to, VI, 391.

Ratification of. (See Ratification of, *post.*)

Referred to, II, 26, 217; VI, 524.

Relative to—

Abolishing slavery—

Defeated, VI, 252.

Recommended, VI, 358.

Ratification of, referred to, VI, 372, 446.

Approval of separate items of bill and veto of others recommended, VII, 242; VIII, 138, 187, 253.

Distribution of surplus revenue among States suggested, II, 452.

Expenditures for education suggested, I, 409, 456; II, 18.

Gradual emancipation of slaves recommended, VI, 136.

Internal improvements suggested, I, 410, 568; II, 18, 191.

Constitution—Continued.

- Legislation in extra session of Congress suggested, VII, 242.
- Maintenance of free schools by States, VII, 334.
- Mode of election of President and Vice-President suggested, II, 447, 518, 557, 605; III, 34, 117, 176, 259; VI, 639, 691; VII, 242.
- Mode of election of United States Senators recommended, VI, 642, 691.
- Postponement of meeting of Congress suggested, I, 250.
- Selection of Presidential electors recommended, IX, 209.
- Slavery recommended, V, 638.
- Suability of States ratified, I, 260.
- Successor to President in event of vacancy in Presidency and Vice-Presidency recommended, VI, 639, 691. (See also VIII, 365.)
- Tenure of office by judiciary of United States recommended, VI, 643, 691.
- Centennial anniversary of framing, proposition to celebrate, discussed, VIII, 533.
- Journal of acts and proceedings of convention which formed, published, II, 65, 109.
- Legislation to supplement guaranties afforded by fourteenth amendment recommended, VIII, 188.
- Ratification of—
- Fifteenth amendment referred to, VII, 44, 47, 53, 127.
 - Discussed, VII, 55.
 - Fourteenth amendment referred to, VI, 466, 467, 469, 524, 597, 638, 639, 645.
 - Proclamation regarding enforcement of, VII, 134.
 - Proclaimed, VI, 656, 657, 658, 659, 660.
 - Withdrawal of, by Ohio and New Jersey, VI, 638.
- Ratification of, by States. (See the several States.)
- Recommendation of legislation to supplement guaranties afforded by fourteenth amendment, VIII, 188.
- Referred to, I, 103, 109.
- Right to make and alter, basis of our political system, I, 217.
- Secret journal of Congress of Confederation published, II, 109.
- Signers of, I, 32.
- Constitution, The.**—A famous American frigate, known also as "*Old Ironsides*." She was built at Boston in 1797, and carried 44 guns. July 17, 1812, she encountered a fleet of 5 British frigates, but through the masterly seamanship of Capt. Hull eluded capture. Aug. 19 she was attacked by the British frigate *Guerrière*, carrying 38 guns. Within half an hour the latter was a wreck and 85 of her men killed and wounded (I, 517). Dec. 29, 1812, after a hard-fought battle of 2 hours, the British man-of-war *Fava*, carrying 38 guns, surrendered to the *Constitution* (I, 522). The British loss was 161 in killed and wounded, while the American loss was only 34. Feb. 20, 1815, the *Constitution* captured the *Cyane*, 20 guns, and the *Levant*, 18 guns. British loss 77 and American loss 15.
- Constitution, The:**
- British frigate *Guerrière* captured and destroyed by, I, 517.
 - British frigate *Fava* captured and destroyed by, I, 522.
 - Capt. Bainbridge in command of, I, 522.
 - Capt. Hull in command of, I, 517.
- Constitution, The** (slave ship), proceedings of court regarding, II, 329.
- Constitution, Confederate.** (See Confederate Constitution.)
- Constitutional Rights** discussed. (See powers of Federal and State Governments.)
- Constitutional Treasury System:**
- Recommended by President Polk, IV, 406.
 - Successful operation of, discussed, IV, 556, 648.
- Constitutional Union Party.**—The issues of 1860 and the years immediately preceding disrupted the Whig party. May 9 of that year representatives of the party held a convention at Baltimore and nominated John Bell, of Tennessee, for President, and Edward Everett, of Massachusetts, for Vice-President. Delegates were present from about 20 States. They took the name of the Constitutional Union party. They denounced the platforms of the other parties as tending "to widen political divisions," and declared their principle to be "the Constitution of the country, the Union of the States, and the enforcement of the laws." In the election it carried 3 States—Kentucky, Tennessee, and Virginia.
- Constitutionalists.**—A political party in Pennsylvania which under the constitution of 1776-1790 favored the maintenance of that instrument as opposed to those who demanded a stronger government than could be had under it. They were the local forerunners of the Democrats and Anti-Federalists of later times. Between 1804 and 1808 a party arose which desired to amend the constitution. They were called the Conventionalists and the party opposed to them Constitutionalists.
- Constitutions, State.**—At the time of the Declaration of Independence only a few of the Colonies had local governments of their own. These were only temporary organizations. Constitutions were first adopted by the 13 original States as follows: Maryland, New Hampshire, New Jersey, North Carolina, Pennsylvania, and Virginia in 1776; Georgia and New York in 1777; South Carolina 1778; Massachusetts in 1780; Delaware in 1792; Connecticut in 1818; Rhode Island in 1842.
- Consul-General**, title of, should be abandoned, VIII, 338.
- Consular and Diplomatic Service** (see also Consular Reform):
- Act making appropriations for—
 - Approved and reasons therefor, VII, 377.
 - Returned, VIII, 220.
 - Classified service needed, XI, 1180.
 - Commercial attachés proposed, X, 847, 848.
 - Consular system referred to, III, 27; VI, 181, 192, 270, 394, 596, 639.
 - Cost of, X, 649, 650.
 - Costumes of persons in, referred to, V, 584; VI, 636.
 - Discussed, IX, 33, 112.
 - Elevation of missions, X, 442; X, 110.
 - Recommended, IX, 33.
 - Inspector of consular offices discussed, IX, 723.
 - Larger salaries needed in, XI, 1180.
 - Organization of class of supernumerary secretaries of legation abroad recommended, VIII, 67.
 - Promotions, removals, and appointments in, VIII, 85.

Consular and Diplomatic Service—Continued.

Referred to, V, 536; VI, 192, 270, 394; VII, 115, 169; VIII, 208, 214, 262.

Reorganization of, recommended by President—

Arthur, VIII, 131, 242, 251.

Cleveland, VIII, 337, 506, 785; IX, 442.

Roosevelt, X, 449, 450, 821; XI, 1180, 1181.

Consular Conventions with—

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Belgium, VI, 690, 695; VII, 43, 587.

Referred to, VII, 609.

Chile, V, 424.

France, I, 57; V, 190.

Referred to, I, 83.

Germany, VII, 160, 188.

Italy, VI, 602; VII, 484, 496, 636; VIII, 39.

Expiration of, discussed, VII, 466.

Netherlands, VII, 485, 568.

Roumania, VIII, 35, 40.

Referred to, VIII, 170.

Salvador, VII, 116, 258, 293.

Servia, VIII, 40, 71.

Referred to, VIII, 170.

Consular Courts. (See Courts, Consular.)

Consular Laws discussed, I, 253; II, 554; V, 177.

Consular Offices, inspection of, discussed, IX, 723.

Consular Pupils referred to, VI, 146.

Consular Reform (see also Consular and Diplomatic Service):

Discussed, IX, 639, 722.

Order regarding examination for consular offices, IX, 624.

Consular Regulations amendment of, X, 522.

Consular Reports:

On production of and trade in coffee among Central and South American States referred to, VIII, 616.

On taxation referred to, VIII, 616.

On trade and industries of foreign powers referred to, VIII, 401, 537, 616; X, 235, 449.

Publication of, discussed, X, 113.

Recommended, VII, 612; VIII, 44, 506.

Value and importance of, discussed, VIII, 506.

Consuls.—In international law an agent appointed and commissioned by a sovereign state to reside in a foreign city or town to defend the personal rights and to protect the business interests of such of the citizens of his country as may reside therein, and to collect and forward to the home government information on industrial and economic matters. He is not a diplomatic agent. He must be formally recognized by the power within whose jurisdiction he serves before he can legally discharge the functions of his office. From the early days of the Government the United States has maintained a consular service. By acts of 1848 and 1860 consuls were empowered to hear and decide judicial cases in certain Oriental countries. The title of consul-general was first introduced in 1855. In 1886 the consular service was reorganized upon a basis which has remained substantially unchanged to the present day. In 1895 President Cleveland issued an order requiring the examination, by a board composed of three members to be named by the Secretary of State, of applicants for appointment to places the salaries of which are more than \$1,000 and less than \$2,500 per year. By an order of Nov. 10, 1905, President Roosevelt extended the

operations of this order so that it now applies to applicants for all consular places, irrespective of the salaries attached to them. The present number of U. S. Consuls serving in all parts of the world is 1,100, while foreign nations maintain about 850 in the United States. (See Consular and Diplomatic Service.)

Consuls of United States (see also the several powers):

Active cooperation in commerce, X, 235, 449.

Advances made by, should be reimbursed, I, 253.

Engaged in business in violation of law referred to, V, 537.

Examination by, of Armenian atrocities in Turkey discussed, IX, 557, 637.

Exequaturs to, refused by Turkey, IX, 660, 716.

Expenses of, appropriation for, recommended, VII, 155, 205.

Fees collected by—

From American vessels, VIII, 80.

In connection with authentication of invoices, VIII, 83.

Fees of, referred to, VII, 46, 113, 155, 156, 205, 256, 304; VIII, 149.

Imprisonment of, in Cuba, I, 341.

Jurisdiction of, (See Courts, Consular.)

Laws in regard to, should be revised, I, 253; II, 554; V, 177.

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Order regarding examinations for consular offices, IX, 624.

Discussed, IX, 639.

Presents from foreign states to, disposition of, discussed, III, 37.

Referred to, III, 39, 41.

Referred to, I, 83, 86, 119, 177, 375; IV, 689.

Reports of. (See Consular Reports.)

Reports of consular agents referred to, VII, 115; X, 23, 74, 113, 131, 235, 449.

Requested by Swiss Government to protect its citizens in countries where it is not represented, VIII, 40.

Rights of, in Cuba discussed, IX, 637.

Salary of—

Appropriations for expenses of, discussed, VII, 205.

Discussed, I, 248, 253; II, 468; IV, 57, 100.

Fees of consular agents referred to, VI, 520; VII, 155.

Fees of consular officers referred to, VII, 46, 113, 156, 205, 256, 304.

Recommendations regarding, VII, 155.

Consuls to United States:

Exequaturs revoked—

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Belgium, VI, 219.

Chile, VI, 427.

France, I, 270.

Frankfort, VI, 511.

Great Britain, V, 391, 392.

Hanover, VI, 511.

Hesse, VI, 511.

Nassau, VI, 511.

Oldenburg, VI, 512.

Spain, V, 50.

Sweden and Norway, VI, 428.

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Vice-consul of—

Portugal, VII, 84.

Sweden and Norway, VI, 429.

Revocation annulled, VI, 432.

Fees demanded by Spanish, discussed, VIII, 127.

Legislation for protection or punishment of, recommended, V, 118, 177.

Tax upon incomes of, discussed, VI, 182.

Contagious Diseases (see also Cholera; International Sanitary Conference; Plague; Quarantine Regulations; Yellow Fever): Among animals discussed, VII, 626, 628; VIII, 184, 527, 798; IX, 329, 455; X, 372, 379, 856.

Conference on subject of, to be held at—

Rome, VIII, 312.

Washington, VII, 612.

Legislation to prevent introduction of, into United States. (See Quarantine Regulations.)

Contested Elections in Congress, act regulating taking of testimony in, reasons for applying pocket veto to, IV, 255.

Contingent Expenses. (See Expenditures, Public.)

Continental Congress.—On receipt of the news of the passage of the Boston Port Act the Virginia assembly in 1774 advised a congress of all the Colonies. Upon this recommendation the First Continental Congress assembled in Philadelphia Sept. 5, 1774, all the Colonies being represented except Georgia. Resolutions were passed commending the people of Massachusetts for their temperate resistance to the execution of the objectionable measures of Parliament and declaring that all America ought to support such opposition. This Congress also recommended an agreement not to import British goods after Dec. 1, 1774, and not to export goods to England after Sept. 10, 1775, unless such grievances as were set forth in a declaration of rights and wrongs were redressed by the parent Government. The First Continental Congress sat until Oct. 26, 1774. The Second Continental Congress convened at Philadelphia, May 10, 1775. This Congress was composed of delegates from each State, generally elected by the legislature. Each State was allowed 1 vote. It declared the independence of the United States and carried on the war with Great Britain. This body remained in session until Dec. 12, 1776, and then adjourned to meet at Baltimore, where it reassembled Dec. 20, remaining in session until Feb. 27, 1777, on which date adjournment was had until Mar. 12, when it reassembled at Philadelphia, remaining in session there until the 18th of the following September, when it adjourned to meet at Lancaster, Pa., Sept. 27, remaining there but 1 day. Oct. 1 it resumed its sessions at York, Pa. June 27, 1778, it adjourned to meet at Philadelphia, where it reassembled July 7, remaining there until June 21, 1783. Its next meeting was at Princeton, N. J., June 30, remaining in session at that place until Nov. 4, when it adjourned to meet at Annapolis, Md., Nov. 26, where its sessions were held until June 8, 1784. Adjourning, it next met at Trenton, N. J., Nov. 1. Dec. 24 it adjourned to meet at New York, where it remained in session until its final adjournment, Oct. 21, 1788. The several sessions here were

as follows: Jan. 11 to Nov. 4, 1785; Nov. 7, 1785, to Nov. 3, 1786 (new officers being chosen at the commencement of this session); Nov. 6, 1786, to Oct. 30, 1787 (new officers again elected at beginning of session); Nov. 5, 1787, to final adjournment. It is a fact worthy of record that as the old Congress died, so the new was born, in the city of New York.

Continental Money.—On the authority of the Second Continental Congress an issue of paper money was begun in 1775 and continued till 1779. This "money" was in the nature of bills of credit and its value necessarily fluctuated with the fortunes of the Government which promised redemption. About \$242,000,000 were put forth. At first the bills circulated on a par with gold, but later greatly depreciated. In 2 years they had become depressed to half the value of gold. In 1779 they were reduced to one-twentieth of their face value and afterwards to one-fortieth. Congress then ordered the notes bought up at their market value, replacing them by a new issue at the rate of 20 to 1, to bear interest at 5 per cent. The old notes sank as low as 1,000 to 1 and finally disappeared.

Continental Soldiers.—The regular troops of the American Revolutionary Army. They were under the command of Washington and were paid by the Government. In 1775 Congress appropriated £ 6,000 for their support and appointed Washington to the command. Ten companies of expert riflemen were enlisted in Pennsylvania and Virginia. Continental soldiers should not be confounded with guerrillas and militia.

Contraband of War.—A term said to have been first employed in the treaty of Southampton between England and Spain in 1625. The treaty of the Pyrenees between France and Spain, signed Nov. 7, 1659, modified the previously entertained notions of articles contraband of war, and a still more liberal construction was put upon the word by the Declaration of Paris, Apr. 26, 1856. All arms, ammunition, and supplies which may be of use in carrying on war or aiding in defense are by the laws of war contraband, and are liable to seizure by either belligerent should a neutral attempt to convey them to the other belligerent. Gen. B. F. Butler in 1861 pronounced slaves of persons in rebellion against the United States Government contraband.

Contraband of War:

On British vessels for insurgents, VI, 151. Trade in, and protection for neutral vessels, order regarding, VI, 176.

Contracts, Government, recommendations regarding, V, 649.

Contreras (Mexico), Battle of.—Aug. 7, 1847, Gen. Twiggs's division began its march upon the City of Mexico. By the 18th the entire army was at San Augustine, 9 miles from the city. On the 19th a preliminary assault was made upon Contreras Hill, a fortified position about 4 miles from the city, held by Gen. Valencia with 6,000 men. Early the next morning Contreras Hill was taken by sudden assault, Valencia's army being completely routed, with a loss of 2,500 men. Among the prisoners were 4 generals. By this brilliant dash the Americans had gained one of the several strong positions by which

Contreras (Mexico), Battle of—Continued.

the roads to the City of Mexico were guarded. The American loss was 50 men killed and wounded. The Mexicans lost heavily in cannon, muskets, and ammunition.

Contreras (Mexico), Battle of, referred to, IV, 536.

Convention, Diplomatic.—In the language of diplomacy, convention is usually synonymous with treaty, with the vague distinction that a convention relates to a few or unimportant or nonpolitical points. The protocol or informal treaty is sometimes referred to as a treaty. (See also Protocol.)

Convention Nominating.—An assembly of delegates or representatives for consultation on important political concerns and the nomination of candidates for office. Early American candidates for office either made a public announcement of their candidacy or were placed in nomination by a caucus more or less select. Out of this custom grew the Congressional caucus of party leaders and, at a later period, the legislative caucus. This was defective in that parties having no legislative delegates had no caucus delegates. This was remedied by sending caucus delegates from those districts not represented by legislative delegates. This immediate step was succeeded by the nominating caucus or convention as at present conducted, both in the several States and in the nation, consisting of delegates from all parts of a State or of the nation chosen for the express purpose of making nominations. The first State convention of which we have any record was held at Harrisburg, Pa., in 1788. The first national nominating convention was that held at Baltimore in September, 1831, by the Anti-Masons. In December of the same year the National Republicans, who were the progenitors of the Whigs, held a national convention at Baltimore. In May, 1832, a Democratic national convention nominated Jackson for President and Van Buren for Vice-President. About 1840 both parties adopted this practice, since which time it has become universal.

Convention, Revolutionary.—Previous to and at the beginning of the Revolution the royal governors of the Colonies dissolved the legislative assemblies because of their opposition to the oppressive measures of the Crown and Parliament. These assemblies immediately met in what were called revolutionary conventions. In a short time these bodies acquired all authority over the people, to the exclusion of the parent Government.

Convention Troops.—A name applied to Gen. Burgoyne's army after the surrender at Saratoga, N. Y., Oct. 17, 1777. A convention was signed fixing the terms of surrender. Burgoyne's officers and men, numbering nearly 6,000, were allowed under the convention to march out of camp with the honors of war, promising to refrain from further hostile acts against the States. Pending transportation to England they were quartered at Winter Hill and Prospect Hill, in Boston. Suspecting that the parole would be violated, Congress, after ratifying, revoked it. After a long delay Burgoyne and his staff were sent to England on parole and the troops were transferred to Rutland, Vt., and afterwards to Charlottesville, Va. There they remained till 1780, when the British were

removed to Fort Frederick, Md., and the Germans to Winchester, Va. Later some of the convention troops were removed to Lancaster, Pa., and the others to East Windsor, Conn. By the end of 1782 they had been dispersed by exchange or desertion.

Conventions. (See International Conventions; Treaties.)

Convicts, Foreign, involuntary deportation of paupers, idiots, insane persons, and, to United States, VII, 265.

Cook, Clarence A., mentioned, X, 635.

Cooley, Dennis N., treaty with Indians concluded by, VI, 394.

Cooley, Lyman E., member of commission to consider construction of canal from Great Lakes to Atlantic Ocean, IX, 747.

Coolidge, Joseph, jr., desk on which Declaration of Independence was written presented to United States by heirs of, VII, 588.

Letter of Robert C. Winthrop regarding, VII, 589.

Cooly.—Originally the name of one of the aboriginal hill tribes of Hindustan. In a general sense the word is used to designate an Asiatic laborer not an artisan. In a more specific sense the term is applied to the common laborer of China or India who emigrates to a foreign country under contract. The name is applied by Europeans in Hindustan to porters and laborers in general. In the United States the word is almost restricted to Chinese laborers who come into the country either voluntarily or under contract. Cooly immigration began when slavery ceased. Their importation and immigration into the United States have caused loud and frequent protests from the American laboring classes, especially in those portions of the country where the coolies mainly settle. The principal objection to them is that they underbid white labor in the open market and live more cheaply and amid surroundings intolerable to native workmen. Another objection to them is that they do not amalgamate with the Caucasian race and do not become citizens of the country of their adoption.

Cooly Trade referred to, V, 374, 596; VI, 60, 639; VII, 37, 80, 236.

Cooper, Harriet E., act granting pension to, vetoed, VIII, 687.

Copper, act regulating duties on, vetoed, VI, 705.

Copper, Coins, weight of, reduced to one pennyweight, sixteen grains, I, 191.

Copper Mines referred to, II, 195, 234.

Copperhead.—A term of opprobrium applied to citizens of the North who sympathized with the Southern Confederacy during the Civil War. The name was first used in a political sense in 1863 in reference to persons who favored peace on any terms. The epithet had its origin in the charge that those to whom it was applied were secret and insidious foes to the Union. The term has recently (1899) been applied to those who are not in sympathy with the prevalent ideas concerning the annexation of territory gained by the recent war with Spain, especially to those who are quietly endeavoring to foment discord among the people at home and the soldiers in the Philippines.

Copyright.—As defined by Drone, copyright is the exclusive right to multiply and dispose of copies of an intellectual production. Before the organization of the Federal Government the States issued copyrights. The Constitution authorized Congress to grant copyrights to authors and patents to inventors. Accordingly Congress passed a law in 1790 giving authors the exclusive right to their works for 14 years, with the privilege of renewal for 14 years, by themselves, or their heirs, executors or assigns. In 1831 the period was extended to 28 years, with the right of renewal of 14 years, the right being extended to the widow or children of a deceased author. In 1856 the protection of copyright was extended to dramatic works and in 1865 to works of art and photographs. Clerks of the district courts of the United States at first issued copyrights, but the act of 1870 provided that the right to issue should be vested in the Librarian of Congress, and in 1897 an office of Register of Copyrights, acting under the direction of the Librarian of Congress, was created. In 1891 the international copyright law passed, extending the privilege of American copyright to authors of such foreign countries as granted the same privilege to American authors. This reciprocal privilege, which is determined and effected by proclamation of the President, according to the terms of the law, has been availed of by several European and American nations, as follows: Belgium, France, Great Britain and Colonies and Switzerland in 1891; Germany and Italy in 1892; Denmark in 1893; Spain in 1895; Mexico and Chile in 1896; Costa Rica and the Netherlands in 1899; Cuba in 1903, and Norway in 1905.

Copyright:

Correspondence with—

Switzerland and France regarding international, referred to, VIII, 530.

Switzerland and Italy regarding international, referred to, VIII, 404.

Foreign holders of, to be privileged in United States discussed, VIII, 241; IX, 43, 126.

International law of—

Convention regarding with—

Germany, IX, 191.

Great Britain, V, 189, 230.

Correspondence with Great Britain regarding, referred to, IV, 150.

Recommended, IX, 43, 126.

Law of, needs revision, XI, 1169, 1170.

Proclamation granting privilege to—

Belgium, France, Great Britain and Switzerland, IX, 147.

Referred to, IX, 190.

Chile, IX, 693.

Denmark, IX, 395.

Referred to, IX, 442.

Germany, IX, 278.

Referred to, IX, 317.

Italy, IX, 301.

Referred to, IX, 317.

Mexico, IX, 690.

Norway, XI, 1028.

Portugal, IX, 398.

Spain, IX, 592.

Copyright Convention, International:

At Berne discussed, VIII, 334, 505.

Negotiations for, referred to, VIII, 38.

Copyright Laws. (See Copyright.)

Corbin H. C.: (See H. C. Corbin)

Dispatch to Gen. Otis regarding force, etc., for Philippine Islands, X, 355.

Eulogized, X, 522.

Instructions to Gen. Merritt through, regarding joint occupancy of Philippine Islands with insurgents, X, 354.

Instructions to Gen. Otis through, to avoid conflict with Philippine insurgents, X, 359.

Order through, to send troops to Iloilo, X, 358.

Corea. (See Korea.)

Corinth (Miss.), Battle of.—Oct. 2, 1862, the Confederates under Generals Van Dorn and Price appeared in front of Corinth, and on the 3d fighting began. Grant directed Rosecrans to call in all his forces for the defense, and dispatched Brig. Gen. McPherson to his support from Jackson, Miss. Ord and Hurlbut were sent from Bolivar by way of Pocahontas to attack the flank of Van Dorn. Rosecrans's army advanced 5 miles beyond the town and fell back, fighting, upon Grant's fortifications. The battle was resumed on the morning of the 4th, and before noon the Confederate repulse was complete. The Confederates numbered 38,000. The Federal forces amounted to 19,000. The Federal loss was 315 killed, 1,812 wounded, and 232 missing. The Confederate losses were 1,423 killed, 5,962 wounded, and 2,225 prisoners. On the 5th, while in retreat, the Confederates were attacked by the divisions of Ord and Hurlbut at the crossing of the Hatchie River, 10 miles from Corinth. A battery and several hundred men were captured.

Corinth, Miss., capture of, referred to, VI, 114.

Corn. (See Agricultural Products.)

Corn Laws.—In English history a series of laws covering the period from 1436 to 1846 regulating the home and foreign grain trade of England. During this time the export and import grain trade was the subject of elaborate and varying legislation. Very high protective duties were levied, which amounted to a prohibition of imports of grain, and large bounties were granted to encourage its exportation. After a long and bitter agitation for the repeal of the corn laws throughout England, Parliament in 1846, under the ministry of Sir Robert Peel, who had become a free trader, passed an act largely reducing the duty on imported grain, to take effect immediately, and further providing for a merely nominal duty after 1849, which was later entirely removed.

Corn Laws, repeal of, referred to, V, 124.

Cornell, A. B., naval officer at port of New York, suspension of, discussed, VII, 511.

Cornplanter, Seneca chief, mentioned, I, 111.

Corporations:

Bond issuance by, power of Territorial legislatures to authorize, III, 540.

Evils of trusts and monopolies discussed and recommendations regarding, VIII, 773; IX, 43, 744.

Exclusion of American insurance companies from Germany, IX, 629, 667, 751.

Referred to, III, 164.

Treatment of American insurance companies in Russia discussed, IX, 529.

Corporations, Bureau of, policy and work of, X, 809.

Corps of Engineers. (See Engineer Corps.)

Corson, Sarah A., act granting pension to, vetoed, VIII, 700.

Corwin, Thomas, minister to Mexico:

Convention with Mexico proposed by, XI, 60, 61.

Dispatches from, regarding war with Mexico, VI, 63.

Treaties with Mexico concluded by, VI, 63.

Costa Rica.—One of the Central American Republics. The name is Spanish, and means "rich coast." It lies between lat. 8° and 11° 16' north and long. 82° and 86° west, and is bounded on the north by Nicaragua, on the east by the Caribbean Sea, on the south by Colombia, and on the west and southwest by the Pacific Ocean. The soil is remarkably fertile, especially on the table-lands and in the valleys. The chief exports are coffee, cabinet woods, gold, bananas, rubber and sugar. The country contains some rich gold mines. The Government consists of a President and a House of Deputies. The country was visited by Columbus in 1502. The first settlement was made by Francisco Hernandez in 1523. Independence from Spain was declared in 1821, and the territory formed part of the Federal Republic of Central America from 1823 to 1839. Area, about 18,400 sq. miles; population (1902), 246,792.

Costa Rica:

Boundary question with Colombia discussed, VIII, 45; IX, 436.

Boundary question with Nicaragua—Arbitration referred to President of United States, and award of, VIII, 764; X, 262.

Settlement of indispensable to commencement of ship canal, V, 166.

Survey of port and river of San Juan, VI, 243.

British protection over, correspondence regarding, transmitted, V, 45.

Claims of United States against, V, 517, 569.

Commission to adjust, discussed, V, 128.

Convention for adjustment of, V, 644, 654.

Commercial relations with, VI, 687.

Council of United States in, referred to, VI, 654.

Correspondence regarding, transmitted, V, 186, 361.

Fugitive criminals surrendered to United States by, IX, 436.

Negotiations with, transmission of information regarding, refused, V, 154.

Transmitted, V, 159.

Outrages committed on American citizens in, V, 517.

Postal convention with, VI, 83.

Relations with, V, 154, 155, 159.

Reparation with Nicaragua amicably settled, X, 166.

Territorial controversies between States on San Juan River, V, 203.

Treaty with, transmitted and discussed, V, 139, 644, 654.

Exchange of ratification of, recommendations regarding, V, 670.

Costello, Mr., convicted and sentenced to imprisonment in Great Britain, VI, 636.

Referred to, VI, 699.

Released, VI, 704.

Cotton, James D., act granting pension to, vetoed, VIII, 444.

Cotton. (See Agricultural Products.)

Cotton Cases, suits pending in Court of Claims known as, VII, 49.

Cotton Expositions. (See Atlanta, Ga.; New Orleans, La.)

Cotton Loan referred to, VI, 385.

Cottrell, Mr. (See Cedar Keys.)

Council.—An assembly summoned or convened for consultation, deliberation, or advice. Politically, councils are held not only to advise and consult with executive officers, but also to enact legislation. Colonial governments usually had a council similar to the upper houses of later legislatures. The name "council" was applied for a number of years to the higher branches of the legislatures of Delaware, Georgia, South Carolina, and Vermont. It has also been applied to the upper house of territorial legislatures, and in some States the governor has an executive council. The Federal Convention, in framing the Constitution, rejected the proposition for an executive council, although it was urged by some statesmen of marked ability and experience.

Council Bluffs, Iowa, act authorizing purchase of ground for Government offices in, vetoed, VIII, 673.

Counterfeiting:

Of foreign and domestic coins, II, 573; III, 49.

Pardons granted counterfeiters, etc., referred to, VI, 620.

County.—Originally the territory of a count or earl. County government was early established in this country. In 1639 Virginia had 8 counties, originally called shires. By 1680 the number was increased to 20. In South Carolina the original subdivision of the Colony was the parish. Southern counties generally had officers and courts similar to those of England. Massachusetts first incorporated counties in 1643. In most Colonies, however, county government was established with English rule. Each State of the Union, except Louisiana, which adheres to the parish system, is now divided into counties, each of which contains a county seat, in which is usually located a court-house and a jail or prison.

Courier, The, officers and men of, rescued by Spanish ship *Sabina*, IV, 152.

Compensation for, requested, IV, 152.

Court of Claims.—This court was established by act of Congress, February 14, 1855. It has general jurisdiction of all "claims founded upon the Constitution of the United States or any law of Congress, except for pensions, or upon any regulation of an Executive Department, or upon any contract, expressed or implied, with the Government of the United States, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect of which claims the party would be entitled to redress against the United States, either in a court of law, equity, or admiralty, if the United States were suable, except claims growing out of the late Civil War and commonly known as war claims," and certain rejected claims. It has jurisdiction also of claims of like character which may be referred to it by any Executive Department, involving disputed facts or controverted questions of law, where the amount in controversy exceeds \$3,000, or where the decision will affect a class of cases or furnish a precedent for the future action of any Executive Department in the adjustment of a class of cases, or where any authority, right, privilege, or exemption is claimed or denied under the Constitution. In all the above-mentioned

Court of Claims—Continued.

cases, the court, when it finds for the claimant, may enter judgment against the United States payable out of the public Treasury. An appeal, only upon questions of law, lies to the Supreme Court on the part of the defendants in all cases, and on the part of the claimants when the amount in controversy exceeds \$3,000. The findings of fact by the Court of Claims are final and not subject to review by the Supreme Court. By the act of March 3, 1883, called the "Bowman Act", the head of an Executive Department may refer to the court "any claim or matter" pending in his Department involving controverted questions of fact or law. The court is required to find the facts and its conclusions of law and to report the same to the Department for its guidance and action. The same act authorizes either House of Congress or any of its committees to refer to the court any "claim or matter" involving the investigation and determination of facts, the court to find the facts and report the same to Congress for such action thereon as may there be determined. The statute of limitations prevents parties from bringing action on their own motion more than six years after the cause of action accrued. Any of the Departments, however, may refer claims at any time if they were pending therein within a period of six years. By an act of January 20, 1885, Congress gave the court jurisdiction over "claims to indemnity upon the French government arising out of illegal captures, detentions, and confiscations prior to the ratification of the convention between the United States and the French republic concluded September 30, 1800". The time of filing these claims was limited to two years from the passage of the act, and all claims not presented within that time were declared void. Under the provisions of an act of March 2, 1887, the Secretary of the Navy referred to this court all cases growing out of claims for bounty for war vessels captured or destroyed by the United States Navy during the late war with Spain, involving the consideration of every naval conflict that took place during that war and the rights of all the officers and men engaged. This court was also vested with jurisdiction over certain Indian depredation claims by an act of March 3, 1891. By the act of April 29, 1902, Congress conferred upon this court jurisdiction over all claims against the United States arising out of the payment of custom duties to the military authorities in the Island of Puerto Rico upon articles imported from the several States. (See also Justice, Department of.)

Court of Claims (see also Southern Claims

Commission; War Claims):
 Act in relation to new trials in, vetoed, VII, 214.
 Claims pending in, referred to, VII, 251; IX, 320.
 Joint resolution to refer certain claims to, discussed, VIII, 154.
 Judgments of, should be made final, VI, 51.
 Method of verifying claims against Government, recommendations regarding, VII, 349.
 Suits pending in, known as cotton cases, VII, 49.

Court of Private Land Claims:

Difficulty in administering law establishing, discussed, IX, 203, 325.
 Organization of, discussed, IX, 197.

Court, Supreme.—The Constitution of the United States provided for a Supreme Court, and the judiciary act of 1789 prescribed its times of sessions and its rules of procedure. It holds one term annually at Washington, commencing the second Monday in October. At present (1906) it consists of a Chief Justice and 8 associate justices, but originally there were but 5 associate justices. All its members are appointed by the President, with the advice and consent of the Senate, and hold office during good behavior, receiving a compensation which may not be diminished during their term of office. They have the privilege of retiring at the age of 70 if they have served 10 years and of drawing their salaries for the remainder of life. The jurisdiction of the Supreme Court extends to all cases in law and equity arising under the Constitution, the laws of the United States, and treaties which are made under their authority; to all cases affecting ambassadors or other public ministers and consul; to all admiralty and maritime cases; to controversies to which the United States is a party; to controversies between 2 or more States, between citizens of different States, between citizens of the same State claiming lands under grants of different States, between a State and foreign States and between citizens of a State and foreign States, citizens or subjects. In all cases affecting ambassadors or other public ministers and consuls and those in which a State shall be a party the Supreme Court has original jurisdiction. In all the other cases aforementioned it has appellate jurisdiction both as to law and fact. The Supreme Court also has appellate jurisdiction over cases from the United States circuit courts where more than \$2,500 is involved. In 1891, the cases pending before the Court had increased to such an extent that the Circuit Court of Appeals (see Courts, Circuit) was established to relieve it. The first session of the Supreme Court was held in 1790. (See also Supreme Court, Justices.)

Court, Supreme:

Allotment of justices of, to circuits, VI, 123, 175.
 Appeals to, from courts of District of Columbia and Territories, recommendations regarding, VIII, 354, 518.
 Bill for relief of, discussed, IX, 125.
 Building for, recommended, X, 118.
 Delay of justice in, discussed and intermediate court recommended, VII, 501, 574, 622; VIII, 53, 777; IX, 42.
 Circuit courts of appeals discussed, IX, 536.
 Act regarding, vetoed, IX, 244.
 Distribution of decisions of, referred to, IV, 277, 359.
 Justices of—
 Salaries of, increase in, recommended, VII, 42.
 Should be exempted from other duties, II, 261.
 Limitation upon right in felony cases to review by, recommended, IX, 197, 448.

Court, Supreme—Continued.

Reports of. (See Supreme Court Reports.)

Vacancies in, and reasons for not filling, discussed by President Lincoln, VI, 49.

Courts.—In the United States courts are public tribunals for the administration of justice and the interpretation of law. Their functions include the protection of private rights, the punishment of crime, and the regulation of conflicting interests of individuals and States. In accordance with the provision of the Constitution establishing a Supreme Court and conferring upon Congress power to create inferior tribunals, a regular system of courts has been formed. The system at first adopted has not been changed in any essential manner. The Supreme Court (q. v.) is the highest tribunal of the United States. It consists of a Chief Justice and 8 associate justices and holds its sessions annually in the Capitol, at Washington. After the Supreme Court the most important Federal courts are, beginning with the lowest, the district courts, circuit courts, and circuit courts of appeals. All these exercise both law and equity jurisdiction, as prescribed by law. Final appeals are taken to the Supreme Court. United States district courts usually have jurisdiction over a single State, but some of the larger States have been divided into 2 or more districts by Congress. There are now 70 district courts in the United States. Most district courts consist of a single judge, but an additional judge has been authorized in the districts of Minnesota and southern New York. Original jurisdiction is exercised in civil, criminal, and admiralty cases. The class of questions which may come before the district courts is modified by Congress from time to time. The district courts exercise concurrent jurisdiction with the circuit courts of all crimes and offenses against the United States the punishment of which is not capital. The United States is divided into 9 judicial circuits, each of which is presided over by a circuit judge. Each circuit judge is required to attend at least one term of such court to which he is appointed in each district of his circuit during every 2 years. Circuit courts have jurisdiction in patent cases, but they have no appellate jurisdiction. Their original jurisdiction extends concurrently with that of the State courts where the United States or an alien is plaintiff in certain cases or where the suit is between a citizen of the State in which it is brought and a citizen of another State. The circuit court of appeals (see Courts, Circuit) was established by act of March 3, 1891. The judicial systems of the several States of the Union are in general similar to the Federal system, but are diverse in many details. Besides the courts mentioned above, Congress in 1855 established the Court of Claims (q. v.) of 5 judges, which sits in Washington City. The court has jurisdiction of claims against the United States. The District of Columbia has a supreme court and a court of appeals, over both of which the Supreme Court of the United States has appellate jurisdiction. Territorial courts are also provided, the judges of which are appointed by the President for 4 years, and over which the Supreme Court has also appellate jurisdiction. The Court of Private Land Claims was established by an act of March 3, 1891,

to examine and determine land claims, but by an act of April 28, 1904, its powers ceased on June 30th of that year, its duties being transferred to the Commissioner of the General Land Office.

Courts, Circuit.—The judiciary act of 1789 provided for United States circuit courts and district courts inferior to the Supreme Court. No provision having been made for circuit judges, the circuit courts up to 1869 were held by justices of the Supreme Court and district judges. In 1801 Congress passed a law providing for 16 circuit judges, but it was repealed the following year. In 1869 special judges were provided for the circuit courts, and the New York circuit has since been given an additional one. Supreme Court cases having accumulated beyond the capacity of the court to consider them in reasonable time, Congress by an act of March 3, 1891, provided for an additional circuit judge in each circuit and established circuit courts of appeals, to consist of the circuit judges of each circuit and the justice of the Supreme Court assigned thereto. Three judges make up the court, two constituting a quorum; but one or more of the district judges of the circuit may be called on by the court to make up a quorum. These circuit courts of appeals have final jurisdiction over appeals from the district and circuit courts except in questions of the jurisdiction of those courts and in constitutional, prize, and capital cases. (See also Courts.)

Courts, Consular:

Jurisdiction referred to, VIII, 67.

Of acting consuls and vice-consuls of United States in China, V, 418.

Regulations for, V, 580; VIII, 803; X, 365.

In China, VIII, 88; X, 847.

Japan, VII, 118; VIII, 43.

Korea, IX, 240; X, 847.

Recommended, VIII, 783; IX, 36.

Reorganization of, recommended, VIII, 338.

Courts, District.—A division of the Federal court system. Originally each State constituted a district, but later some of the States were divided. There are now 63 of these lowest grades of Federal courts. (See also Courts.)

Courts, District. (See Courts, Federal.)

Courts, Federal:

Act regarding establishment of circuit courts of appeals and regulating jurisdiction of, vetoed, IX, 244.

Extension of jurisdiction of, recommended, I, 139.

Fee system as applicable to officials of, abolition of, discussed, IX, 729.

Recommended, VIII, 354; IX, 447, 536.

Modifications in system of, recommended, VIII, 53, 354.

Offenses against court officers should be made cognizable in, IX, 42, 198.

Offenses against treaty rights of foreigners in United States should be made cognizable in, IX, 183.

Power of, over Executive Departments discussed, III, 503.

Process of, should be uniform, I, 83.

Removal of cases from State courts to, restrictions on, recommended, VIII, 354.

Removal of cases involving international obligations from State courts to, IV, 75, 103.

Courts, Federal—Continued.

Returns of causes pending in, referred to I, 337; II, 72.

Circuit—

Allotment of justices of Supreme Court to, VI, 123, 175.

Appeals from, recommendations regarding, VIII, 354.

Extension of system of, recommended, II, 461, 558, 605; VI, 49.

Resumption of authority of, in States where rebellion had existed recommended, VI, 358.

Correspondence regarding, transmitted, VI, 378.

Transfer of original jurisdiction of, to district courts recommended, VIII, 354.

Circuit courts of appeals—

Act regarding, vetoed, IX, 244.

Discussed, IX, 536.

Commissioners, jurisdiction to try misdemeanors recommended, VIII, 354; IX, 447, 536.

District—

Act providing for trials in, vetoed, I, 511.

Transfer of original jurisdiction of circuit courts to, recommended, VIII, 354.

Courts-Martial:

In Army discussed, VIII, 348.

Navy referred to, II, 326.

Regulations for government, of, IX, 167, 602.

Courts, Military, order in relation to trials by, VI, 440.

Courts of Appeals, Circuit. (See Courts, Federal.)

Courts, Provisional, in Louisiana, order regarding, VI, 122.

Courts, State:

Removal of cases from, to Federal courts, restrictions on, recommended, VIII, 354.

Removal of cases involving international obligations from, to Federal courts, IV, 75, 103.

Covoda (N. Mex.), Battle of.—After Gen. Phil. Kearny had established the authority of the United States securely, as he thought, in New Mexico, he proceeded toward the Pacific, leaving small forces in the garrisons behind. Jan. 15, 1847, Governor Bent, Sheriff Elliott, and 20 others were murdered by insurgent Mexicans at San Fernando de Taos and 7 others at Turley's, 8 miles distant, in the valley of the Moro. Col. Sterling Price, who was in command at Santa Fé, learning of the uprising, Jan. 23 started for the scene with a force of about 400. He encountered a force of 1,500 at the village of Covoda, which he dispersed after a severe engagement.

Covode, John, mentioned, VI, 373.

Covode, Investigation.—A committee of the House of the Thirty-sixth Congress was appointed, with John Covode, of Pennsylvania, as chairman, to investigate charges made by 2 Anti-Lecompton Democrats, who alleged that President Buchanan had used corrupt influences to induce them to vote for the Lecompton bill. The investigating committee consisted of 5 members. The 3 Republicans voted to sustain the charges and the 2 Democrats to exonerate the President. No action was taken.

Covode Investigation, V, 614, 619.

Cowans Ford (N. C.), Battle of.—Feb. 1, 1781, Cornwallis, who had a second time invaded North Carolina, attempted to prevent the junction of Morgan's division of the Ameri-

can army with the main body under Gen. Greene. The Americans, pursued by the British, crossed the Catawba River at Cowans Ford. Gen. Davidson with 300 militia was left to oppose the crossing of Cornwallis. Davidson was killed and the militia scattered.

Cowdin, Elliot C., commissioner to Paris Exposition, report of, transmitted, VI, 630.

Cowles, W. S., mentioned, X, 522.

Cowpens (S. C.), Battle of.—One of the events following Gen. Greene's taking command of the Southern army in the Revolution, which decided the fate of the war in that quarter. Cornwallis, in command of the British army and in possession of South Carolina, meditated an invasion of North Carolina. Tarleton, with the advance guard of Cornwallis's army, consisting of about 1,100 men, pressed Morgan across the Pa-colet, a branch of the Broad River, and back to the Cowpens, an extensive pasture ground on the Broad River about 2 miles south of the boundary line between the Carolinas. Morgan's force consisted of about 900 men. Jan. 17, 1781, Tarleton began the attack. The battle was well fought and displayed remarkable generalship on the part of Morgan. With his 900 men he surrounded and nearly annihilated Tarleton's 1,100, Tarleton and 270 men only escaping. The Americans lost but 12 killed and 61 wounded. Two standards, 100 horses, 35 wagons, 800 muskets, and 2 cannon were captured.

Cox, Jacob D., mentioned, VI, 614, 617, 619.

Cox, Zachariah, arrest and confinement of, I, 364.

Crabb, Col., execution of, referred to, V, 481, 565.

Cradle of Liberty.—A name applied to Faneuil Hall, Boston, an old building used as a market house and place of public meeting from the early days of the settlement. It has been the scene of some of the most stirring appeals to patriotism by American citizens, particularly during and previous to the Revolutionary War. Upon being refused the use of Faneuil Hall for a meeting in March, 1850, Daniel Webster wrote: "I shall defer my visit to Faneuil Hall, the cradle of American liberty, until its doors shall fly open on golden hinges to lovers of Union as well as liberty." The appellation has since clung to the building.

Craig, James, alleged secret agent employed by, for fomenting disaffection in United States, I, 498.

Craig, Robert, mentioned, VIII, 150.

Craighill, W. R., Yorktown monument built under direction of, VIII, 263.

Crampton, John F. T., mentioned, V, 44.

Cranch, William:

Commissioner of Washington City, I, 314.

Oath of office administered to President Tyler by, IV, 31.

Crane, James M., mentioned, V, 483.

Crane, Thomas J., report of, on improving irrigation of Ohio River transmitted, V, 149.

Craney Island, Va.:

British attack on, repulsed, I, 539.

Evacuation of batteries on, referred to, VI, 112.

Craven, T. A. M., mentioned, V, 593.

Craven, Thomas T., thanks of Congress to, recommended, VI, 76.

- Crawford, Richard B.**, act granting pension to, vetoed, VII, 172.
- Crawford, T. Hartley**, communication from, regarding Indian affairs, III, 580, 621, 625.
- Crawford, William H.**, mentioned, III, 8.
- Crédit Mobilier**.—A joint stock company originally chartered by the Pennsylvania legislature under the name of the Pennsylvania Fiscal Agency, with a capital of \$2,500,000. The charter was purchased by a company having contracts for the construction of the Union Pacific Railroad. The value of the stock, which depended upon the liberality of the contracts made by Congress, rose to an enormous price and paid large dividends earned in the construction of the Union Pacific road. In the Presidential election of 1872 the Democrats charged the Speaker of the House of Representatives, the Secretary of the Treasury, the Vice-President, and the Vice-President elect with accepting *Crédit Mobilier* stock as an indirect bribe for political influence. An investigation followed, in which it was developed that several members of Congress were holders of this company's stock. One Senator was recommended for expulsion, but as his term was about to expire no action was taken. Representatives Oakes Ames, of Massachusetts, and James Brooks, of New York, were censured by the House.
- Credit, Public** :
 Act to strengthen, referred to, VII, 463.
 Bank of United States attempts to impair, III, 13.
 Discussed. (See *Finances* discussed.)
 Faith of nation must be preserved, I, 346; IV, 226.
 Indebtedness of States works injury to, IV, 208.
 Progress of, witnessed by rise of American stock abroad, I, 81, 132.
 Progressive state of, I, 84, 85, 103, 130, 329, 478, 564.
 Provision for preservation of, recommended, V, 542.
 "Strength and security of Government rest upon," I, 220.
 Support of, provision for, recommended, I, 66, 68, 69, 238; IV, 207, 226, 265; V, 542.
 System of, should not be left unfinished, I, 167.
- Credit System** discussed by President Van Buren, III, 324.
- Creditors, Government**, payment of, in depreciated currency referred to, III, 560, 589, 590, 591, 593.
- Creek Indian War**.—Tecumseh, the ambitious Shawnee chief, and his brother, the Prophet, in their efforts to work up a conspiracy of all the North American Indians against the United States, joined with the British in the War of 1812. Tecumseh was defeated by Harrison at Tippecanoe and was killed in the battle of the Thames, Oct. 5, 1813, but his schemes agitated and divided the Creek Nation. Weathersford, or Red Eagle, became so troublesome as the leader of the war faction that bodies of militia were sent against him from Tennessee and Georgia. The first serious outbreak of the Creeks was the massacre of the garrison and refugees at Fort Mims, Aug. 30, 1813. As a result, Alabama was almost abandoned by whites. Self-protection and a desire for revenge took possession of the people of Georgia and Tennessee. Gen. Jackson entered the field at the head of the Tennessee militia. Gen. Floyd led the Georgians to avenge the massacre, and Gen. Claiborne was acting at the head of troops from Louisiana and Mississippi. The war received its death blow at the hands of Jackson at Horse Shoe Bend, Mar. 27, 1814. It lasted only 7 months. Taken alone it was of minor importance, but considered in connection with the War of 1812 it had an important bearing. With the subjugation of the Creeks perished all hope of Indian aid in the Southwest for the proposed occupation of the Mississippi Valley.
- Creek Indians**.—A powerful confederacy of the Muskogean stock of Indians, which in the early days of American history inhabited Alabama, Georgia, and part of Florida. At the instigation of Spaniards the Yamasí tribe made several attacks upon the settlers during the eighteenth century. They aided the British in the War of the Revolution, attacking Gen. Wayne in 1782. In 1790 they signed a treaty of friendship, but broke it 2 years later. In 1802 and 1805 they ceded lands to the whites. They joined the British in the War of 1812, and Aug. 30, 1813, they attacked Fort Mims and massacred 400 people. Mar. 27, 1814, they were completely subjugated by Gen. Jackson and ceded the greater part of their land to the whites. The Seminoles, a renegade body of Creeks, made war upon the United States from 1835 to 1843. Part of the Creeks moved to Louisiana and part to Texas. Later Gen. Scott subjugated them, and they were removed to a reservation between the Canadian and Arkansas rivers. In 1866 they ceded a large tract of land to the Government. The Creeks now occupy lands in Indian Territory, are well organized, and have a population, including mixed bloods, of about 15,000.
- Creek Indians**:
 Charges against United States agent for, II, 399.
 Claims of citizens of Georgia and, to lands, II, 83.
 Commerce with, I, 77.
 Conflicting claims of Georgia and, to lands. (See *Georgia*.)
 Convention with, I, 390.
 Court of inquiry relative to campaign against, II, 289.
 Opinion of, disapproved, III, 289.
 Proceedings of, transmitted for action thereon, III, 291.
 Difficulties of, with Seminoles, V, 295, 364.
 Difficulties with, I, 151.
 Frauds practiced upon, in land sales, III, 405, 480.
 Hostilities of, ended, III, 253, 254.
 Referred to, III, 280.
 Lands—
 Ceded to United States by, I, 343, 374, 387; II, 394; IX, 15; X, 508.
 Amount of cession, IX, 46.
 Proposition regarding, VIII, 72, 807.
 Opened to settlement by proclamation, IX, 15.
 Purchased for Seminoles from, VIII, 109.
 Additional proposition regarding, IX, 70.
 Purchased from, title to, discussed, VIII, 266.
 Murdered by outlaws, I, 151.
 Protection for lands of, invoked, II, 370.
 Removal of, discussed and referred to, III, 55, 113, 498.

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- Sales of reservations of deceased, III, 516.
 Treaty with, transmitted and discussed, I, 70,
 76, 78, 79, III, 167, 175, 199, 210, 397, 554;
 II, 85, 287, 306, 324, 343, 345, 370, 394, 398,
 399, 402, 509, 509; III, 37, 516; IV, 361; V,
 242, 383; VI, 193, 393, 702; VIII, 807; X,
 501.
 Correspondence regarding, II, 320.
 Proclamation regarding, I, 80.
 Ratified by proclamation, X, 501.
 Rights of, under, II, 370.
 War with. (See Indian Wars.)
- Creole Case.**—During the passage of the brig
Creole from Hampton Roads to New Orleans
 with a cargo of slaves, in November, 1841,
 some of the negroes rose against the officers
 of the vessel, killed one of the owners, and
 ran the vessel into Nassau, New Providence.
 All were here set at liberty by the English
 authorities except those charged with murder.
 Great Britain refused to surrender
 them on demand of the United States (IV,
 91), but the matter was finally settled by a
 treaty in 1842. During the negotiations for
 this treaty resolutions embodying the prin-
 ciples of the Anti-Slavery Party were offered
 in Congress by Joshua R. Giddings, of Ohio.
 Hewas censured by the House and thereupon
 resigned. Returning to Ohio, he was re-
 elected by a large majority, with instructions
 to present the resolutions again.
- Creole, The**, liberation of cargo of slaves on,
 at Nassau, New Providence, IV, 91, 101.
- Crescent City, The**, not allowed to land pas-
 sengers and mail at Havana, Cuba, V, 237.
- Crete:**
 Resolution of Congress declaring sympathy
 for suffering people of, referred to, VI, 693.
 Revolution in, referred to, VI, 462.
- Cridler, Thomas W.**, special commissioner to
 Paris Exposition, report of, transmitted, X,
 104.
- Crime**, international convention for suppression
 of, VII, 161.
- Crimes and Misdemeanors:**
 Abduction of foreigners claiming protection
 of United States should be made a crime,
 V, 12.
 Convictions, executions, and pardons for
 capital offenses referred to, II, 425.
 Degrees in crime of murder should be recog-
 nized, IX, 320, 448, 536.
 Limitation upon right in felony cases to re-
 view by Supreme Court recommended,
 IX, 197, 448.
 Trial of misdemeanors by United States
 commissioners recommended, VIII, 354;
 IX, 447, 536.
- Criminal Code**, revision of, recommended, I,
 576; V, 12, 136.
- Criminal Law**, abuse of administration of,
 referred to, VIII, 355; IX, 447; XI, 1161.
- Criminals.** (See Fugitive Criminals.)
- Criminals, Foreign**, introduction of, into
 United States referred to, IV, 518; VII, 636.
- Cristóbal Colón, The**, mentioned, X, 92.
- Crittenden, J. J.**, Acting Secretary of State,
 V, 112.
- Crittenden Compromise.**—This was one of
 the numerous schemes to compromise the
 slavery question on a peaceful basis. John
 J. Crittenden was a Senator from Kentucky
 and tried to harmonize North and South on
 the slavery question. He hoped to evade
 the impending war by proposing in 1860 a

constitutional amendment which should di-
 vide the United States into slaveholding and
 nonslaveholding portions. He proposed di-
 viding the two sections by the parallel of
 36° 30', the United States to pay the owner
 for every fugitive slave captured. The propo-
 sition, which included other compromise
 measures, was never submitted to the States.

Croggan, Kate L., mentioned, X, 797.

Crocker, Uriel, act for relief of, allowed to
 become law, VIII, 265.

Crook, George:

Member of—

Ponca Indian Commission, VII, 630.

Sioux Indian Commission, IX, 45.

Report of, regarding services of Apache In-
 dians, IX, 60.

Crook, U. S. Transport, collision of, X, 843.

Crooks, James, claim of, against United
 States for seizure of schooner, VIII, 390;
 IX, 227.

Crosby, Pierce, thanks of Congress to, recom-
 mended, VI, 76.

Cross Keys (Va.), Battle of.—During Stone-
 wall Jackson's movement up the Shenandoah
 Valley in the summer of 1862 Generals Fré-
 mont and Shields were both on the alert to
 capture him. Frémont reached Strasburg
 June 1, just after Jackson had passed through.
 At Port Republic the Shenandoah River di-
 vides, and on the larger of the two branches,
 at a village known as Cross Keys, Fré-
 mont brought Ewell's division of Jackson's
 army to bay June 8. A slight skirmish en-
 sued and Ewell retired during the night.
 Jackson soon after effected a junction with
 Gen. Lee, and together they fought the bat-
 tles around Richmond.

Crow Creek Indians. (See Umpqua Indians.)

Crow Creek Reservation. (See Sioux Res-
 ervation.)

Crow Indians:

Agreement with—

For sale of lands, IX, 132.

For use of railroad, VIII, 70.

Regarding individual allotments, VIII, 372.

Appropriation for supplies for, recom-
 mended, VIII, 194.

Treaty with, II, 347; VI, 637.

Crow Reservation, Mont., opened to settle-
 ment by proclamation, IX, 292.

Crowell, John, treaty with Indians concluded
 by, II, 394.

Crown Lands. (See Lands, Crown.)

Crown Point (N. Y.), Capture of.—Imme-
 diately after the capture of Ticonderoga,
 May 12, 1775, Col. Seth Warner, with a small
 detachment of men, proceeded to Crown
 Point, on Lake Champlain, about 90 miles
 north of Albany. The place was strongly
 fortified and mounted 114 cannon, but was
 garrisoned by only 12 men. These were cap-
 tured and the fort manned by Warner's
 men.

Crowninshield, A. S., report of, on lives
 lost by sinking of the *Maine*, X, 70.

Crozier, Captain William, Peace Commis-
 sioner at The Hague, X, 158.

Cruzen, A. R., mentioned, X, 712.

Cuartel Lot, survey and disposal of land
 known as, discussed, IX, 69.

Cuba.—The island of Cuba was discovered
 Oct. 28, 1492, by Christopher Columbus, who
 took possession of it in the name of Spain.
 The first attempt at a permanent settlement
 was made in 1511 by Don Diego Columbus,

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A son of Christopher Columbus, and Diego Velasquez, who landed at Baracoa with 300 men. The first settlement at Santiago de Cuba was made in 1514, and the following year a settlement was made at Trinidad. The island was first named Juana, then Fernandina, then Santiago, and later Ave Maria. Its present name is the one given to it by the natives of the island, whom Columbus described as a peaceful, contented, and progressive race. It is called "The Gem of the Antilles," and is the largest of the West India Islands. Its greatest length, following a curved line through its center, is 780 miles, and its average breadth is 60 miles. Its area is about 43,000 sq. miles. It is irregular, shaped somewhat like a half moon, long and narrow, extending from east to west, its convex part facing the north. It has a coast line of about 2,000 miles, or, including all indentations, nearly 7,000 miles. The population of the island in 1899 was found by census to be 1,572,797, and estimated at 1,729,500 in 1904. The population in 1887 was 1,631,687 and the decrease during the insurrection and war of 1895-1898 has been computed at 200,000. Of the present population the whites constitute about sixty-eight per cent. and the colored, including negroes, mulattoes, and Chinese, thirty-two per cent. The population of Havana, the capital city, is about 275,000. The island lies between long. 74° and 85° west and lat. 19° and 23° north. It is situated at the entrance to the Gulf of Mexico and divides that entrance into 2 passages. It is bounded on the north by the Florida, Ocanpo, and Old Bahama channels, on the east by the Strait of Maisi, on the south by the Strait of Colon and the Sea of the Antilles, and on the west by the Strait of Yucatan. Cuba is generally low and swampy along the coast. Especially is this true of the southern coast, while the interior of the island is a high table-land. There are many mountain ranges in the interior, the highest land in the island being the Sierra Maestra, in the province of Santiago, which has one peak 8,320 feet in height. There are no known volcanoes in Cuba or in the Isle of Pines. On account of the peculiar shape of the island, being long and narrow, with its highlands in the interior, nearly all of the rivers flow to the north or to the south, and are therefore necessarily short. There are few navigable rivers, and these but for a short distance from their mouths and only for small coasters and canoes. In the interior there are many pretty lakes and bayous, and, while some of them are very picturesque, like the rivers they are of little importance commercially. Many of these lakes and bayous are salt-water bodies. Situated within and near the border of the northern tropical zone, the climate of the low coast lands of Cuba is that of the torrid zone, but the higher interior of the island enjoys a more temperate atmosphere. As in other lands on the border of the Tropics, the year is divided between a hot wet season, corresponding to the northern declination of the sun, and a cool dry period. From May to October is called the wet season, though rain falls in every month of the year. With May spring begins, rain and thunder are of almost daily occurrence, and the temperature rises

high, with little variation. The period from November to April is called the dry season. For 7 years the mean annual rainfall at Havana in the wet season has been observed to be 27.8 inches, and of the dry months 12.7 inches, or 40.5 inches for the year. At Havana in the warmest months—those of July and August—the average temperature is 82° F., the maximum being 88° and the minimum 76°. In the cooler months—December and January—the thermometer averages 72°, the maximum being 78° and the minimum 58°. The average temperature of the year at Havana on a mean of 7 years is 77°; but in the interior, at elevations of over 300 feet above the sea, the thermometer occasionally falls to the freezing point in winter. Hoar frost is not uncommon, and during north winds thin ice may form, though snow is unknown in any part of the island. It hails frequently. The prevailing language is Spanish. The Roman Catholic is practically the only religion in Cuba, having the adherence of more than 90 per cent. of the population. But full religious freedom is permitted under the present constitution. Primary education is free and compulsory. Secondary and advanced education is under the control of the state. There is a good university at Havana. According to latest statistics obtainable (1902) the enrollment of pupils in elementary schools was 165,500. Prior to the Spanish-American War the enrollment was about 36,000. According to the census of 1899 sixty-four per cent. of the people could neither read nor write. It is estimated that there are about 20,000,000 acres of wild and uncultivated land, 12,000,000 of which are virgin forest. These forests are to a great extent dense and almost impenetrable in some sections, especially the eastern portions of Santa Clara, Puerto Principe, and some parts of Santiago de Cuba provinces. The Isle of Pines, a dependency of Cuba, is also heavily wooded. The forests preserve their verdure throughout the entire year. The palm is the most common of all the Cuban trees, and perhaps the most valuable. The lands most celebrated for their fertility are the districts of Sagua, Cienfuegos, Trinidad, Matanzas, and Mariel. The Valley of Guines owes its reputation to artificial irrigation. The principal agricultural products are sugar cane, coffee, tobacco, cocoa, cotton, sarsaparilla, vanilla, copal, china root, cassia, palma christi, mustard, pepper, ginger, licorice, balsam de Guatemala, india rubber, etc. The fruits are numerous and delicious. Among them are the pineapple, custard apple, cocoanut, plum, guava, banana, orange, citron, lemon, mango, etc. The island has a great variety of minerals, gold, silver, iron, copper, lead, asphaltum, antimony, platinum, petroleum, marble, jasper, etc., being found in greater or less quantity. As yet no coal has been found, although a substance resembling it is much used as fuel and generally called "coal" by the natives. Gold and silver have not been found in paying quantities, although the early settlers mined a considerable amount of each. The exports consist of sugar, tobacco, coffee, brandy, copper, wax, honey, cotton, leather, horn, cocoanut oil, timber and fruit. Besides the cigar factories there are no manufacturing industries of im-

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portance in the island. The railroad and telegraph systems are being rapidly developed, mainly by American capital, there are about 1,500 miles of railroads and about 3,400 miles of telegraph. Havana was founded on its present site in 1519. It was totally destroyed in 1538 by French privateers, but was immediately rebuilt. The capital of the island was located at Santiago de Cuba until 1550, when it was moved to the city of Havana. During the latter part of the eighteenth and the early part of the nineteenth century a number of insurrections and revolts were instituted, but were successfully suppressed by the Spaniards. An important one of these occurred in 1827-1829, when Cuban refugees in Mexico and the United States planned an invasion of Cuba. They organized throughout Mexico, United States, and Colombia branches of a secret society known as the Black Eagle. On account of the antislavery sentiment which was beginning to show itself in these countries, the scheme proved a failure. A more serious insurrection occurred in 1844, when the slaves on the sugar plantations, especially in the province of Matanzas, revolted. They were finally subdued and over 1,300 persons convicted and punished. President Polk made a proposition in 1848 for the purchase of the island by the American Government for \$100,000,000. In 1854 the Ostend Manifesto claimed the right of the United States, should Spain refuse to sell Cuba, to take and annex it. In the same year preparation was made in Cuba and the United States for another attempt at insurrection, but before the plans of the revolutionists were fully matured the leaders were betrayed, arrested, and executed. During the next 14 years the island enjoyed a period of comparative quiet and prosperity. In 1868 a revolution broke out in Spain, and in October the natives of Cuba took up arms and declared their independence. During this period many of the nations of the Western Hemisphere recognized the Cubans as belligerents. Spain did not succeed in putting down this rebellion until 1878. It was during this war that the American ship *Virginia* was captured by the Spaniards, her cargo confiscated, and many of her passengers executed as revolutionists. This act nearly brought on war between Spain and the United States. About this time Spain was engaged in wars, and for the purpose of keeping them up Cuba was called on to furnish the larger portion of the means. Revenues were raised and the Cubans taxed to the utmost, paying from \$3 to \$6 per capita. At one time the Cuban debt reached nearly \$1,250,000,000, and for the last 20 years of Spanish dominion the island paid an annual revenue to the Crown of from \$25,000,000 to \$40,000,000. In 1886 slavery was totally abolished. During the latter part of the year 1894 another revolution broke out. At first the Spaniards considered it nothing more serious than a riot, but they soon found the revolution to be general throughout the island and backed by the most influential of its citizens. It was a downtrodden people fighting for independence. Feb. 15, 1898, the United States battle-ship *Maine* was blown up in the harbor of Havana. So much sympathy had

been shown by the citizens of the United States for the Cubans and their cause that the Administration soon took a decisive step in the matter. By an act of Congress approved April 25, 1898, it was declared that war did exist and had existed since April 21, 1898, between the United States and the Kingdom of Spain (X, 129), whereupon the President, in a proclamation dated April 26, 1898, declared the existence of war (X, 249). After an unprecedented campaign (see Spanish-American War) by the United States, Spain asked for terms of peace, and on Aug. 12 an agreement was signed by representatives of the two countries for a suspension of hostilities, and commissioners were appointed from each country to arrange the terms of peace. The treaty of peace, as concluded by the commission at Paris (see Paris, Treaties of) provided, among other things, that Spain relinquish all claims of sovereignty over and title to Cuba. When the treaty was signed (December 10, 1898) the United States assumed control of the island. In 1901 by an act of Congress, autonomous government was granted to take effect in May 1902. A convention met on November 5, 1900 to decide upon a constitution, which constitution was adopted on February 21, 1901. It provided for a republican form of government, with a President (Tomas Estrada Palma); a Vice-President; a Senate to consist of 36 members, 6 from each department; a House of Representatives, having one member for each 25,000 of the population; it guaranteed freedom of speech, of the press, and of religious worship. It was upon the adoption of this constitution that the United States decided to pass over the government to the Island of Cuba as soon as the government of that island should agree to the following provisions which were comprised in the Platt amendment to the army appropriation bill approved March 2, 1901. These provisions were that: Cuba should make no treaty with any foreign power which would endanger its independence; contract no debt greater than the current revenue would suffice to pay; grant the United States the right of intervention; ratify all acts of the United States in Cuba during its military occupancy and safeguard all lawful rights acquired thereunder; complete sanitation of the island; omit the Isle of Pines from the proposed constitutional boundaries of Cuba; the title thereto being left to future adjustment by treaty; sell or lease to the United States the land necessary for coaling and naval stations. These conditions were accepted by Cuba June 12, 1901, by adopting them as an appendix to the constitution and the treaty carrying those provisions into effect was concluded with the United States on May 22, 1903, and ratified in 1904. The President and Vice-President of the Republic of Cuba were formally elected February 24, 1902. A commercial convention between the United States and Cuba was concluded December 11, 1902 providing for the reciprocal reduction of 20 per cent. in the tariff rates on goods imported into the United States from Cuba and into Cuba from the United States. As an exception to this certain manufactured goods of the United States are admitted into Cuba at a reduction varying from 25 per cent. to 40

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- per cent. These rates are mutually preferential as respects like imports from other countries. The term of the treaty is five years and it is to be continued after the expiration of that period from year to year unless terminated by either party after due notice. Another treaty carrying into effect the provisions of the Platt amendment was concluded on May 22, 1903, and was ratified in 1904.
- Cuba:**
- Acquisition of, by United States—
 - Opposed by President Fillmore, V, 165.
 - Proposition regarding, referred to, V, 535.
 - Recommended by President Buchanan, V, 510, 535, 561, 642.
 - Affairs of—
 - Communications regarding, transmitted, IX, 666.
 - Discussed, V, 113, 164.
 - Mediation or intervention by United States in, referred to, IX, 669.
 - African slave trade in, discussed, V, 244, 510, 593, 595.
 - Agitations in, and abuse of American neutrality laws, VIII, 239.
 - Aid furnished inhabitants of, by American citizens and Red Cross, X, 59, 83, 95.
 - American citizens in—
 - Assaulted and murdered, VII, 48, 50, 68, 69, 242; IX, 750.
 - Condemned to death, VIII, 103.
 - Death of, IX, 746, 752.
 - Destitute, appropriation for, X, 23, 38.
 - Estates of deceased, referred to, V, 360, 361.
 - Property of, confiscated, VII, 65, 68, 69.
 - Treatment of, discussed, X, 31.
 - Appropriation for starving inhabitants of, recommended, X, 67.
 - Army, U. S. in, X, 499, 500.
 - Autonomous government for, discussed, IX, 720; X, 36, 59, 83.
 - Blockade of ports of, proclaimed, X, 247, 256.
 - Discussed, X, 71, 87.
 - Removal of, referred to, X, 96.
 - Census ordered, X, 369.
 - Chinese laborers introduced into, referred to, VII, 162.
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 - Commercial relations with, III, 41, 128; V, 412; VIII, 239, 336, 504; IX, 35, 112, 637; X, 67.
 - Report on, X, 67.
 - Treaty regarding, VIII, 255, 260, 261.
 - Competitor,** capture of alleged American citizens on the, IX, 748, 751; X, 37.
 - Conditions in, report on, transmitted, X, 67.
 - Constitutional convention assembled, X, 223.
 - Consul of United States in, imprisonment of, I, 341.
 - Consular officers of United States in, rights of, discussed, IX, 637.
 - Copyright reciprocity with, X, 629.
 - Correspondence regarding, VIII, 44, 357.
 - Creation of offices in, X, 364, 366, 382.
 - Diplomatic intercourse with Captain-General of, not allowed, V, 209.
 - Renewal of, to be requested, V, 209.
 - Evacuation of Havana, order regarding, X, 358.
 - Exiles from, arrival of, in United States, I, 471.
 - Expeditions against—
 - Discussed, V, 11, 47, 107, 113, 246.
 - Proclamations against, V, 7, 111, 272.
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 - Government for, discussed, X, 97, 152.
 - Grants of public or corporate rights in, order regarding, X, 358.
 - Graves of American soldiers in, to be marked, order regarding, X, 353.
 - Hurricane in, in 1844 referred to, V, 336.
 - Imports into, modifications of laws regarding, V, 336.
 - Indemnity for, discussed, V, 336.
 - Imprisonment of—
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 - Released, X, 59.
 - Persons claiming to be American citizens, IX, 748, 751.
 - Independence of, recognition of, by United States opposed and precedents cited, X, 61.
 - Insurrection in (see also Spanish-American War)—
 - Armistice proposed by United States discussed, X, 60.
 - Autonomous government for, discussed, IX, 720; X, 36, 59, 83.
 - Claims of United States against Spain growing out of, VII, 97, 145, 496; IX, 439, 748.
 - Concentration policy of Gen. Weyler discussed, X, 31, 58, 59, 83.
 - Revoked, X, 60.
 - Forcible intervention in, by United States discussed, X, 36.
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 - Joint resolution of Congress declaring freedom of, authorizing intervention, etc., X, 72.
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- Lopez expedition, pardon and release of members of, by Spain, V, 142.
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 Policy of United States regarding, referred to, V, 157.
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 Possession of, agreement to disclaim intention to obtain, declined by United States, V, 165.
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Culebra Island, reservation of lands on, X, 521.
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Cullum, George W., bequest of, for erection of memorial hall at West Point, recommendations regarding, IX, 239.
Culver, Samuel H., treaty with Indians concluded by, V, 229.
Cumberland, The, engagement with the *Merimac* referred to, VI, 144.
Cumberland Road.—A national highway authorized by Congress and constructed at the expense of the General Government. Appropriations for the purpose of building and maintaining this road were opposed by various Presidents and members of Congress on the ground that Federal aid to local internal improvements was unconstitutional. Mar. 29, 1806, the President was authorized to appoint 3 commissioners to lay out a road from Cumberland, on the Potomac, to the Ohio River, and \$30,000 was appropriated for that purpose (I, 418). The road was extended from time to time, reaching Illinois in 1838, when it was superseded by railways. The total amount appropriated was \$6,821,246. President Monroe vetoed a bill for the repair of the road May 4, 1822 (II, 142). This highway was also called the National road. (See also Internal Improvements.)
Cumberland Road:
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Custer Massacre.—Maj. Gen. George A. Custer led with his regiment Gen. Terry's column in an expedition against the Sioux Indians in 1876. June 25, coming upon an encampment of Indians on the Little Big Horn River, in Montana, he divided his regiment (the Seventh Cavalry) into several detachments, one of which, under Maj. Reno, was ordered to attack in the rear, while Custer led 5 companies to the front. Reno was driven back and the Indians fell upon Custer and massacred his entire command of about 276 men (VII, 373).

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Daniels, Jared W., member of Indian commission, IX, 144.

Daniels, William H., collector of customs, suspension of, referred to, VIII, 154.

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Dardanelles, restrictions on passage of Straits of Bosphorus and, by ships of other nations, VII, 124.

Darien, Isthmus of, canal across. (See Panama Canal.)

Darling, James H., act granting pension to, vetoed, VIII, 452.

Dart, Anson, official conduct of, referred to, V, 484, 485.

Dartmoor Massacre.—In 1815, Dartmoor prison, in Devonshire, England, contained 10,000 French and 6,000 American prisoners of war, as well as impressed American seamen who had refused to fight against their country. The prisoners of war had been taken in the War of 1812 and the seamen had been impressed for several years prior to the war and were impatient for their liberty, the war having ended. On the 6th of April a number of sailors, in attempting to escape, came into collision with the guards and 33 Americans were wounded and 7 killed. After an investigation ample satisfaction was made by the British Government.

Dartmouth College vs. Woodward.—A celebrated case decided by the Supreme Court of the United States, in 1819. June 27, 1816, the New Hampshire legislature amended the charter of Dartmouth College, increased the number of trustees to 21, and changed the name from Dartmouth College to Dart-

Dartmouth College vs. Woodward—Continued.

mouth University, creating a new corporation, to which the property of the old corporation was transferred. Woodward was the secretary and treasurer of the corporation under the new charter. The old trustees began suit against him for the recovery of the property. The State court decided against them. The case was taken on writ of error to the United States Supreme Court. The latter tribunal reversed the decision of the State court, declaring that the "charter of Dartmouth College is a contract within the meaning of that clause of the Constitution which prohibits States from passing any law impairing the obligation of contracts." The New Hampshire law was therefore declared unconstitutional and void. Daniel Webster conducted the case for the plaintiffs. This decision is one of the most important ever rendered by the Supreme Court. It settled the law holding that a charter granted to a private corporation is a contract, which cannot be altered in a material point without the consent of those who hold it unless the power of revision is reserved to the legislature by a clause in the charter or a general law of the State.

Dauper, John, act granting pension to, vetoed, VIII, 737.

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Davis, George W., member of board to consider expedition to be sent for relief of Lady Franklin Bay Expedition, VIII, 226.

Davis, J. C. Bancroft, Acting Secretary of State, VII, 224.

Davis, Jefferson:
Correspondence of governor of South Carolina with President delayed by, V, 664.

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Dean, John, act granting pension to, vetoed, VIII, 718.

Dearborn, Henry A. S., mentioned, III, 561.

Deas, Edward, reappointment of, in artillery service discussed, IV, 587.

Debt, Public.—The Government of the United States under the Constitution began business in 1789 with a foreign debt of \$13,000,000 and a domestic debt amounting to \$42,000,000. It then assumed debts of the States amounting to \$21,500,000, which had been contracted in prosecuting the Revolution. The debt was funded, and in 1796 the total was \$83,800,000. It then began to decrease, and, though swelled \$15,000,000 by the Louisiana Purchase, it was brought down to \$45,200,000 in 1812. The War of 1812 increased the amount till in 1816 the debt reached \$127,000,000. By 1835, however, it was virtually extinguished. It then began to grow. The Mexican War increased it from \$15,600,000 to \$68,300,000, but by 1857 it was reduced to \$28,460,000. The Civil War ran the total indebtedness up to \$2,681,000,000 in 1865. The prosperity of the country, enormous revenues from customs, and the successive fundings of the debt at lower rates of interest reduced it by 1876 to \$2,180,395,067. By 1886 it has further contracted \$1,783,438,697, but the Spanish War caused it to grow again till in 1899 it amounted to \$2,092,686,024. For the financial year ending November 1, 1905, the classification of the public debt is as follows, the interest bearing debt amounted to \$895,158,940 while the aggregate of the interest bearing and non-interest bearing debt was \$1,284,461,413, to this must be added the value of Certificates and Treasury notes, some \$1,009,384,960; making a total public debt of \$2,293,846,382.

Debt, Public (see also Bonds; Loans):

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Debtors, Insolvent (see also Bankruptcy):

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Public officers availing themselves of benefits of act must be dismissed, II, 544.

Debts, British.—The treaty with Great Britain in 1783 provided for the payment of all debts owed by Americans to British subjects. Many obstacles were thrown in the way of prompt payment, however, some of the State governments going so far as to provide, even after the ratification of the treaty, that such debts might be paid into the State treasury, and the State would then refuse to entertain suits on the part of the creditors. The Supreme Court decided in 1796 that such debts must be paid and that no State law could repudiate them. (See also *Ware vs. Hylton*.)

De Camp, John, thanks of Congress to, recommended, VI, 76.

Decatur, Stephen:

Captain in Navy, advancement of, to grade of, referred to, I, 374.

Claims of, arising from recapture of the *Philadelphia*, II, 462.

Commander of the *United States*, I, 521.

Decimal System of Coinage, Weights, and Measures.—In 1782 Gouverneur Morris reported a decimal currency system designed to simplify the money of the States. He ascertained that the 1440th part of a Spanish dollar was a common divisor for the various currencies. With this as a unit he proposed a coinage of 10 units to be equal to 1 penny; 10 pence to 1 bill; 10 bills to 1 dollar (equal to about 75 cents of the present money); 10 dollars to 1 crown. In 1784 Mr. Jefferson, as chairman of a committee of Congress, proposed to strike 4 coins upon the basis of the Spanish dollar, viz, a gold piece worth 10 dollars, a dollar of silver, a 10th of a dollar in silver, and a 100th of a dollar in copper. Congress adopted this proposition, making the dollar the unit, July 6, 1785, and the coins became known as the cent, dime, dollar, and eagle. Jan. 1, 1855, Canada adopted the decimal system of currency in use in the United States. By an act of Congress of May 16, 1866, the 5-cent nickel piece was made to conform to the decimal or metric system as to size and weight. The use of the metric system of weights and measures was authorized by Congress by a permissive act, not mandatory, and a table of equivalents was approved by Congress July 28, 1866.

Deck, Amanda F., act granting pension to, vetoed, VIII, 689.

Declaration of Independence.—The unanimous expression of the delegates in Congress of the thirteen original States, setting forth the rights of men in general, and of the colonists in particular, citing their grievances against the British Government, and declaring "that these united Colonies are and of right ought to be free and independent States." North Carolina took the first step toward independence by a resolution, Apr. 12, 1776, "to concur with those in the other Colonies in declaring independence," the same State having previously (May 31, 1775), in her famous Mecklenburg resolutions, which were forwarded to the Continental Congress, declared the people of the Colonies "a free and independent people, under the control of no other power than that of our God and the general government of the Congress." The title of the document was suggested by Virginia in her resolution of May 17, 1776, directing her representatives to propose in Congress a "declaration of independence." Such a resolution was introduced by Richard

Henry Lee on June 8, but was not adopted until July 2. The document was prepared by a committee composed of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston. The draft was made by Jefferson. Congress made in the Declaration as presented by the committee 18 suppressions, 6 additions, and 10 alterations, many of them, however, not being important. The Declaration was adopted July 4, 1776, by the unanimous vote of 12 States, New York alone not voting. It was afterwards ratified by a convention of that State. It was engrossed and signed on Aug. 2, by all the members present, six signatures being afterwards added. The signers of the Declaration were: John Hancock, President of the Congress; New Hampshire: Josiah Bartlett, William Whipple, Matthew Thornton; Massachusetts Bay: Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry; Rhode Island: Stephens Hopkins, William Ellery; Connecticut: Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott; New York: William Floyd, Philip Livingston, Francis Lewis, Lewis Morris; New Jersey: Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, Abraham Clark; Pennsylvania: Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Ross; Delaware: Caesar Rodney, George Read, Thomas M'Kean; Maryland: Samuel Chase, William Paca, Thomas Stone, Charles Carroll, of Carrollton; Virginia: George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, jr., Francis Lightfoot Lee, Carter Braxton; North Carolina: William Hooper, Joseph Hewes, John Penn; South Carolina: Edward Rutledge, Thomas Heyward, jr., Thomas Lynch, jr., Arthur Middleton; Georgia: Button Gwinnet, Lyman Hall, Charles Walton.

Declaration of Independence, I, 3.

Desk on which it was written presented to United States by heirs of Joseph Coolidge, jr., VII, 588.

Letter of Robert C. Winthrop regarding, VII, 589.

First copperplate of, bequeathed to Congress by Lafayette, letter of son presenting, III, 123.

Signers of, I, 6.

Declaration of Rights.—The earliest general declaration of rights of which we have any official record was that of the Stamp Act Congress in 1765, which published what it called a "Declaration of Rights and Grievances of the Colonists of America." In this document they vigorously protested against the Stamp Act and all other plans to tax them by a parliament in which they had no representation. They demanded all the rights of British subjects. In 1774 the Continental Congress made a similar declaration against later aggressions of Parliament. Declarations of the same character were incorporated in the Declaration of Independence. (See also Bill of Rights.)

Decoration Day.—The custom of strewing flowers on the graves of their dead soldiers early in the spring of each year originated among the women of the South, before the close of the Civil War. In some parts of

Decoration Day—Continued.

the North a similar custom grew up, but its observance was not universal. May 5, 1868, while Gen. John A. Logan was commander in chief of the Grand Army of the Republic, he issued an order fixing the 30th day of May of that year as a day for the general observance of the custom by members of the Grand Army and their friends. Since that time May 30 has been regularly observed as Decoration Day throughout the country. It is known as Confederate Memorial Day in the South. The particular days observed there are April 26th in Alabama, Florida, Georgia and Mississippi, and May 10th in North Carolina and South Carolina, while Virginia observes May 30th and Louisiana May 3rd (Jefferson Davis' birthday) under this title. In all States except Florida, Georgia, Idaho, Louisiana, Mississippi, North Carolina and South Carolina, Tennessee and Texas it is a legal holiday. Congress has by law declared Decoration Day a holiday in the District of Columbia and the Territories.

Decoration Day. (See National Cemeteries.)**Defalcation of Public Officers:**

Application of public money for private uses should be made a felony, III, 492.

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Inquired into, V, 385; IX, 365.

Defenses, Public (see also Forts and Fortifications):

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Correspondence regarding, referred to, VI, 60.

Provision for, recommended by President—Adams, John, I, 236, 253, 265, 280, 291, 307, 311.

Adams, J. O., II, 389.

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McKinley, X, 224.

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De Fuca Explorations. (See San Juan de Fuca Explorations.)**De Haven, Lieut.,** expedition commanded by, in search of Sir John Franklin and companions, return of, V, 132.**De Kalb, Baron Johann,** claims of representatives of, for services rendered United States in Revolutionary War, III, 51.**De Krafft, Elizabeth S.,** act granting pension to, vetoed, VIII, 436.**DeLafield, Richard,** member of board to examine quotas of States under call for troops, VI, 275.**Delagoa Bay Railway,** seizure of, by Portuguese Government, IX, 35.

Claims regarding, submitted to arbitration, IX, 111; X, 208.

Delano, Admiral F. H., mentioned, X, 692.**Delaware.**—One of the thirteen original States, and next to Rhode Island the smallest in the Union, its total area being 2,050 sq. miles. Nickname, "The Diamond State;" motto,

"Liberty and independence." It is bounded on the north by Pennsylvania, on the east by New Jersey and the Atlantic Ocean (Delaware River and Bay separating it from New Jersey), and on the south and west by Maryland. The agricultural products of the State are important, its peaches are famous throughout the country as also are its tomatoes, the canning of which is a flourishing industry; other important products are wheat, corn, and fruit. Delaware was originally settled by Swedes under Peter Minuit in 1638, passing under the rule of the Dutch in 1655, and of the English in 1664. In 1682 it was united with Pennsylvania. In 1703 it received a separate assembly, but had a governor in common with Pennsylvania until the Revolution. It was the first State to ratify the Federal Constitution, Dec. 7, 1787. Though a slave State, it remained in the Union throughout the Civil War. It is sometimes called the "Blue Hen State" and its citizens the "Blue Hen's Chickens." Its population (1905) is 188,000.

Delaware:

Circuit court in, time of holding, I, 259.

Constitution of United States, evidence of ratification of amendments to, I, 73, 178.

Resolutions of general assembly of, transmitted, I, 73.

Delaware Bay, erection of piers near, recommended, II, 217.

Delaware Indians.—A confederacy of the Algonquian stock of Indians. They called themselves the Lenni-Lenape ("original men" or "preeminent men") and the French called them Loups (wolves). William Penn found them dwelling peaceably in the valley of the Delaware. He cultivated friendly relations with them and purchased much of their land. Their chief council fires blazed on the site of the present city of Philadelphia. In 1726 they refused to join the Iroquois in a war against the English and were stigmatized as "women." Later they became quite warlike, but were driven beyond the Alleghanies. Near the close of the Revolution a large number of Christian Delawares were massacred by Americans. The remnants of the tribe dwelt temporarily in Ohio, and in 1818 migrated to Missouri, in 1829 to Kansas, and in 1868 to the Indian Territory, where they live among the Cherokees and are well civilized. They number about 1,600.

Delaware Indians:

Lands—

Ceded to United States by, I, 372, 374; III, 476.

To be conveyed to Wyandots, IV, 276.

Payment of amount of trust fund to, recommended, VIII, 532.

Treaty with, I, 363, 373, 377, 390, 397, 478, 479, 554, 569; II, 21, 47, 404, 465, 466, 610; V, 240, 596; VI, 32, 212, 394; X, 51.

Agreement with, for abrogation of sixth article of, V, 668.

Delaware River, canal from Chesapeake Bay to. (See Chesapeake and Delaware Canal Co.)**Delfosse, M. Maurice,** selection of, as commissioner on fisheries question with Great Britain referred to, VII, 486.**De Long, George W.,** death of, in *Jeannette* expedition, VIII, 139.

Remains of, removed to United States, VIII, 247.

De Martens, M. F., arbitrator in Venezuelan boundary dispute, X, 113.

Deming, Frances, act granting pension to, vetoed, VIII, 465.

Democratic Party.—Individual liberty rather than strict government is a paramount sentiment in many American hearts. Those who originally looked with apprehension on the possibility of the central Government's encroaching upon the personal liberties of the people or the rights of States formed the nucleus of the National Democratic party, which has now maintained a continuous existence for more than a hundred years. The chief tenets of the party are succinctly set forth by Mr. Jefferson in his first inaugural address. These tenets he characterized as essential principles of our Government. His definition of the principles of the party is thus expressed: "Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none; the support of the State governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against anti-republican tendencies; the preservation of the General Government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad; a jealous care of the right of election by the people—a mild and safe corrective of abuses which are lopped by the sword of revolution where peaceable remedies are unprovided; absolute acquiescence in the decisions of the majority, the vital principle of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia, our best reliance in peace, and for the first moments of war, till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burdened; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of information and arraignment of all abuses at the bar of the public reason; freedom of religion; freedom of the press, and freedom of person under the protection of the *habeas corpus*, and trial by juries impartially selected" (I, 323). A strong sympathy with the French revolutionists in 1789 and a desire that the Government should aid France in her war with England drew a number of disciples to the party entertaining these sentiments. Under the leadership of Thomas Jefferson the party took the name of Democratic-Republican and opposed the Federalists. Since Monroe's time it has been commonly known as the Democratic party, though previously it was known as the Republican party. From its inception in 1792 to 1801 it was the party of opposition. When the party got control of the Government it lost sight of some of its tenets, and many of its members at certain times supported measures tending toward nationalization. After the War of 1812 the Democrats had a clear field of operations until the second election of Monroe in 1820. Subsequently dissensions began to appear. Adams and Clay and their followers advocated protection, national aid to internal improve-

ments, and a broader construction of the Constitution. They were first known as National Republicans, and after drawing to themselves many of the opponents of Andrew Jackson were called Whigs. From the time of Jackson up to 1860 the Democrats by skillful party management won all the Presidential elections but two—those of 1840 and 1848. They carried the country through the war with Mexico, annexed Texas and the Californias, and abolished the United States Bank. With the introduction of the slavery question into politics the party began to lose strength in the North. The Democratic party was always strongest in the South, however. In 1860 the party split into two factions and the Republicans won the election. Then came the Civil War, and though many Democrats supported Lincoln and the Union the party lost power and prestige in the North generally, and the Republicans remained in control until 1884, when war issues had been superseded in the minds of many by economic questions. The party candidates in 1864 were George B. McClellan, of New Jersey, and George H. Pendleton, of Ohio; in 1868, Horatio Seymour, of New York, and Francis P. Blair of Missouri; in 1872 the party in convention at Baltimore, July 1, ratified the nomination of the Liberal Republican party (q.v.) that had separated from the Republican party and named Horace Greeley, of New York, and B. Gratz Brown, of Missouri, as Presidential candidates. The minority held a convention at Louisville, Kentucky, and nominated Charles O'Connor, who declined. Greeley was unsuccessful. In 1874 the Democrats regained control of the House of Representatives which they kept until 1880. In 1876 the candidates were Samuel J. Tilden, of New York, and Thomas A. Hendricks, of Indiana. The election was contested (see Electoral Commission), but finally settled in favor of the Republicans. In 1880 the nominees were Winfield S. Hancock, of Pennsylvania, and William S. English of Indiana. In 1882 the Democrats regained control of the House, and in 1884 elected as their candidates, Grover Cleveland, of New York, and Thomas A. Hendricks, of Indiana, in a campaign made largely upon the personal character and "records" of the opposing candidates. The party was not in full control of the Government, however, as the Republicans held the majority in the Senate. In 1887, by his message to Congress, President Cleveland brought the tariff question to the front, and in 1888, the Democratic candidates, Grover Cleveland, of New York, and Allen G. Thurman, of Ohio, were defeated upon that issue. In that year the party lost control of the House as well. They regained control of the House in 1890, however, and in 1892 the party candidates, Grover Cleveland, of New York, and Adlai E. Stevenson, of Illinois, were elected. The party also gained control of the House and Senate. During this administration the Democrats repealed the Sherman silver purchase act (see Sherman Act), and passed the Gorman-Wilson tariff bill, with an income tax provision which was later declared unconstitutional. A political reaction began in 1893, helped by the commercial depression of that time, and the Democrats lost control of the House in 1894. The strength of the

Democratic Party—Continued.

radical free silver wing of the party grew steadily, and in 1895 controlled the Chicago convention and nominated William J. Bryan, of Nebraska, and Arthur Sewall, of Maine, on a platform declaring for the free coinage of silver at the ratio of 16 to 1. This resulted in the formation of the National Democratic (Gold Democrats) party, opposed to free silver, which held a convention at Indianapolis and nominated John M. Palmer, of Illinois, and Simon B. Buckner, of Kentucky. This party received no electoral vote but had an important influence on the election by drawing votes from Bryan and Sewall. The nomination of the Democratic candidate was endorsed by the National Silver party, which was made up chiefly of silver Republicans, and Bryan was nominated by the People's party (q.v.). The Democratic party was defeated, its popular vote being 6,509,052 and the electoral vote 176. The Democratic party supported the war measures of the Republican administration in the war with Spain, but disagreed with it as to the settlement of problems growing out of the war, particularly in the question of the acquisition of the Philippines. In 1900 the Democrats declared "imperialism" to be the "paramount issue" and favored "an immediate declaration of the nation's purpose to give the Filipinos: (1) a stable form of government; (2) independence; and (3) protection from outside interference." The question of the free coinage of silver also entered into this campaign inasmuch as the party ratified the Chicago platform of 1896, and nominated William J. Bryan, for President and Adlai E. Stevenson, for Vice-President. The popular vote was 6,358,729 and the electoral vote 155. In 1904 the free silver issue was in abeyance and the Democratic candidate declared himself in favor of the gold standard. The party platform also declared in favor of a promise of future independence for the Filipinos, the reduction of the tariff, and restrictive measures in dealing with trusts. The party candidates were Alton B. Parker, of New York, and Henry G. Davis, of West Virginia, who were unsuccessful, the popular vote being 5,112,565, and the electoral vote 140.

Democratic Societies.—Societies similar to the Jacobins of France were organized in 1793 in various parts of the United States to express sympathy with the French Revolutionists and propagate extreme democratic views. Washington vigorously denounced them for their opposition to his efforts to suppress the Whisky Insurrection in western Pennsylvania in 1794. They soon became extinct.

Demonetization of Metal.—To demonetize a metal is to take from it its standard monetary value and thus make it merely a commodity.

Demun and Chouteau, depredations committed on property of, by Mexicans, III, 229.

Denby, Charles:

Member of commission to Philippine Islands, X, 359.

Minister to China, regulations for consular courts promulgated by, VIII, 803.

Denmark.—A Kingdom in northern Europe, comprising a part of the peninsula of Jutland and a group of islands, the principal ones be-

ing Zealand, Fünen, Laaland, Bornholm, Falster, Langeland, and Möen. The Government is a constitutional hereditary monarchy, with the legislature composed of 2 bodies. In the Middle Ages it was famous as the home of pirates. Christianity was introduced in the ninth century. Norway, Sweden, and Denmark were united in 1397. Sweden separated from Denmark in 1523. Norway was ceded to Sweden in 1814. An unsuccessful war, known as the Schleswig-Holstein War, in 1864 was waged by Denmark against Prussia and Austria, which resulted in the loss of territory to Denmark. The present constitution was adopted in 1866. Area, including islands, 15,388 sq. miles; population (1901), 2,464,770. The colonial possessions of Denmark consist of Iceland, Greenland, and the islands of Saint Croix, Saint Thomas, and Saint John, in the West Indies. Iceland which had been settled since about 900, and was a free republic down to 1262, passed into the hands of Norway in that year, and has been a Danish possession since 1380. Greenland has been a Danish colony since 1721. The Danish West Indies acquired in the seventeenth and eighteenth centuries have been for some years the object of negotiations between this country and Denmark. On January 24, 1902, a treaty was signed for their purchase but it was rejected by the Danish Landsthing. The Danish government is now (1905) considering measures for the political representation of the islands in the home government and is perfecting plans for their industrial development.

Denmark:

Cession of St. Thomas and St. John islands to United States, treaty regarding, VI, 579, 581, 598, 688.

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Agreement to submit, to arbitration, VIII, 803.

Award of arbitrator, IX, 110.

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Commercial relations with, II, 531; III, 25; V, 279, 411.

Consuls of United States in, I, 98, 117.

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Importation of American products into, decrees placing restrictions upon, IX, 668.

Minister of, to United States, grade of, raised, VIII, 131.

Naturalization treaty with, VII, 206, 239.

Payment of claims of the United States against, II, 410, 445, 505, 549, 594; III, 24.

Sound dues, treaty regarding, V, 334, 463, 470.

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Adams, J. Q., II, 345, 353.

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Johnson, VI, 581, 693.

Ratification of, by Denmark, VI, 621.

Vessels of, captured by American ships and claims based thereon, VI, 70.

Vessels of United States—

Seized or interfered with by, VIII, 803.

Tolls levied on, discussed, V, 279, 334, 411.

Denniston, William H., act for relief of, vetoed, VII, 268.

Denny, Alfred, act granting pension to, vetoed, VIII, 439.

Departments, Executive. (See Executive Departments; the several Departments.)

Dependent-Pension Law discussed, IX, 117, 327, 451, 545.

De Poiery, Mr., captain by brevet, nomination of, and reasons therefor, I, 75.

Deposits, Public, Removal of.—In 1833 and prior thereto, the public funds of the Government were deposited in the Bank of the United States. President Jackson determined to discontinue this practice and to deposit the funds collected in State banks, while those in the Bank of the United States should be withdrawn as needed. William J. Duane, the Secretary of the Treasury, was opposed to the removal of the funds, particularly before the meeting of Congress. After fruitless effort to have him change his opinion on the subject, the President requested his resignation. It was given, and on the same day, Sept. 23, 1833, Roger B. Taney, the Attorney-General, was appointed Secretary of the Treasury. He promptly made the necessary orders. The Senate passed a resolution of censure of the President and also rejected the nomination of Mr. Taney as Secretary of the Treasury. In a paper which he read to his Cabinet the President gave his reasons for removing the Government funds from the Bank of the United States (III, 5).

Deposits, Public, Removal of:

President Jackson's paper to Cabinet on, III, 5.

Refuses to transmit, to Senate, III, 36.

Recommended, II, 600; III, 17.

Referred to, III, 167.

Views of President Tyler on, IV, 44.

Depredations on Commerce. (See the several powers, claims against.)

Dermoddy, William, act granting pension to, vetoed, VIII, 463.

Derne Expedition.—Gen. William Eaton, United States consul at Tunis, in 1805, espoused the cause of Hamet, Pasha of Tripoli, against the latter's usurping brother. With the cooperation of the United States naval forces in the Mediterranean, they defeated the usurper at Derne April 27, 1805. After this success a treaty highly favorable to the United States was negotiated with the Pasha.

Derrick, W. S., Acting Secretary of State, V, 77.

Desert Lands. (See Lands, Desert.)

Desertion, from army and navy, X, 456, 457.

Des Moines Rapids, act for continuing improvement of, vetoed, V, 388.

Des Moines River, acts to quiet title of settlers on lands on, vetoed, VIII, 411, 827.

De Stoeckl, Edward, mentioned, VI, 66.

Detroit, The, mentioned, X, 140.

Detroit, Mich.:

Civil authority over, recommended, I, 198.

Lands—

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Lying near, referred to, I, 367.

Memorials for district of, I, 442.

Town and fort of, surrendered to the British, I, 515.

Recovery of, referred to, I, 539.

Detroit (Mich.), Surrender of.—In August, 1812, Col. Proctor, in command of the British troops in Canada, was joined by Gen. Brock with a body of militia and some Indians under Tecumseh. The forces at Sandwich amounted to 1,330 men, 600 of whom were Indians. Gen. Hull, in command at Fort Detroit, on the opposite side of the river, had 1,000 men available for duty. Aug. 16 the British sent a party of Indians and regulars across the river to assault the works. Hull surrendered the fort and the whole territory of Michigan, of which he was governor, without the discharge of a gun. About 2,000 men in all became prisoners of war. During the firing by the British 7 Americans were killed and several wounded. Gen. Hull was afterwards convicted of cowardice by a court-martial and condemned to death, but was pardoned by President Madison in consideration of his age and his services in the Revolutionary War. Subsequent investigations greatly modified the blame attached to Gen. Hull.

Devils Lake Reservation, N. Dak., right of way for railroad through, bill for, VIII, 367, 592.

Settlement rights given in, X, 776.

Dewey, George:

Attack of American land forces and capture of Manila assisted by squadron under, X, 94.

Thanks of President tendered, X, 343.

Member of Philippine Commission, X, 359.

Spanish fleet destroyed in Manila Bay by

American squadron under, X, 72, 90.

Appointed acting rear-admiral, X, 72, 343.

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Reply of, X, 77.

Thanks of President tendered, X, 343.

Referred to, X, 72.

Suggestions from, regarding force, etc., for Philippine Islands requested by President, X, 355.

De Witt, Hannah C., act granting pension to, vetoed, VIII, 645.

Dexter, John S., district supervisor, nomination of, I, 99.

Diamond Mountain Forest Reserve, proclaimed, XI, 1038.

Diaz, A. J., arrest and imprisonment of, by Cuban authorities, IX, 81.

Diaz, Porfirio, revolution in Mexico and installation of, as President, VII, 467; X, 108.

Dickens, William, act granting pension to, vetoed, VIII, 539.

Dickinson, Joseph, pensioned, X, 719.

Dickson, James C., receiver of public moneys, nomination of, withdrawn and reasons therefor, II, 477.

Dickson, Walter, outrages committed on family of, in Palestine, V, 484.

Dime.—The smallest piece of silver now coined by the United States. In value it is the tenth part of a dollar. The word is taken

Dime—*Continued.*

from the French dixième, one-tenth, and was spelled "disme" on some of the first coins. Authorized in 1792 with a weight of 41.6 grains, it was afterwards (in 1853) reduced to 38.4 grains. The first dimes were issued in 1796.

Dingle, W. B., arrest and maltreatment of, at Heidelberg, Baden, V, 239.

Dinsmore, Silas, commissioner to treat with Indians, I, 435.

Diplomatic Agents. (See Consuls; Ministers.)

Diplomatic Conventions. (See Conventions, Diplomatic.)

Diplomatic Service. (See Consular and Diplomatic Service.)

Direct Taxes. (See Taxation; Taxes.)

Disability-Pension Act discussed, IX, 117, 327, 451, 545.

Discretionary Powers of President. (See Executive Nominations; President; Removals from Office.)

Discriminating Duties. (See Vessels, Foreign tonnage on.)

Diseases, Contagious. (See Cholera; Contagious Diseases; International Sanitary Conference; Plague; Quarantine Regulations; Yellow Fever.)

Diseases of Animals. (See Animals and Animal Products.)

Dismal River Forest Reserve, proclaimed, X, 475.

Distilled Spirits:

Sale of, in Siam by American citizens, VII, 216.

Sale of, to Indians, recommendations regarding, I, 334; IX, 735.

Sale of, in Manila, information concerning transmitted, X, 188.

Tax on—

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Harrison, Benj., IX, 39.

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Division of United States into districts for collection of, I, 99, 105, 112, 134.

Laws for raising. (See Revenue, Public.)

Removal of, on spirits used in arts and manufactures discussed, IX, 39.

District.—A name applied in the United States to those portions of territory which are without elective or representative institutions—for instance, the District of Columbia. South Carolina counties were formerly called districts. From 1804 to 1812 that portion of the Louisiana Purchase lying north of the northern boundary of the present State was called the District of Louisiana. Before their admission as States Kentucky and Maine were called districts, respectively of Virginia and Massachusetts. The name "district" is also applied to those divisions of a State grouping certain counties or wards into separate Congressional districts for the election of Representatives in Congress.

District Attorneys. (See Attorneys, District.)

District Courts. (See Courts, Federal.)

District of Columbia.—Congress is authorized by the Constitution to "exercise exclusive legislation in all cases whatsoever over such district (not exceeding 10 miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States."

July 16, 1790, after a long and bitter discussion, a district 10 miles square lying on both sides of the Potomac River was selected. Maryland ceded 64 sq. miles on the north bank of the river and Virginia 36 sq. miles on the south bank. The District was first called the Territory of Columbia. The seat of Government was removed thither in 1800. July 9, 1846, the portion south of the Potomac was ceded back to Virginia. For a time the superintendence of the District was in the hands of 3 commissioners, but in 1802 Washington was incorporated and its government was placed in the hands of the people, with a president and a council, the former appointed by the President. In 1820 a mayor, to be elected by the people, was substituted for the president. From 1871 to 1874 the District had a Territorial government, the upper house and the governor being appointed by the President and the lower house selected by the people. This was found to be unsatisfactory, and in 1874 Congress provided for a board of 3 commissioners to take charge of all matters pertaining to the District government. June 11, 1878, Congress provided for a permanent government, consisting of 3 commissioners, 2 to be appointed from civil life by the President, the third to be detailed from the officers of the Engineer Corps of the Army. Area, 64 sq. miles, practically all included in the City of Washington; population (1900), 278,718.

District of Columbia (see also Washington City):**Act—**

Fixing rate of interest on arrearages of taxes due in, returned, IX, 67.

For promotion of anatomical science and to prevent desecration of graves vetoed, VIII, 413.

Prescribing times for sales and for notice of sales of property in, for taxes returned, VIII, 627.

Prohibiting bookmaking and pool selling in, vetoed, IX, 93.

Referred to, IX, 116.

Providing for recording deeds, etc., in, vetoed, VII, 381.

Respecting circulation of bank notes in, vetoed, VI, 87.

To abolish board of commissioners of police in, etc., vetoed, VII, 430.

To authorize reassessment of water-main taxes or assessments in, returned, IX, 670.

To pay moneys collected under direct tax of 1861 to States, Territories, and, vetoed, VIII, 837.

To punish unlawful appropriation of property of another in, returned, IX, 237.

To regulate elective franchise in, vetoed, VI, 472.

To regulate practice of medicine and surgery in, etc., returned, IX, 670.

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 Bridges over Potomac River in, construction and repair of, discussed, II, 608; III, 38; V, 174; VIII, 51, 92, 529.
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 Reform School for girls in, construction of, recommended, IX, 197.
 Reform school in, supply of blankets for, discussed, VII, 417.
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Divorce, uniform laws on, advocated, X, 850.

Dix, John A.:

Applications to go south across military lines to be made to, VI, 101.

Authority given to, while commanding at Baltimore, VI, 112.

Commissioner to examine cases of state prisoners, VI, 109.

Mentioned, VI, 78.

Prisoners of war released to report to, VI, 102.

Dixie.—A term applied originally to New York City when slavery existed there. According to the myth or legend, a person named Dixie owned a tract of land on Manhattan Island and a large number of slaves. As Dixie's slaves increased beyond the requirements of the plantation many were sent to distant parts. Naturally the deported negroes looked upon their early home as a place of real and abiding happiness, as did those from the "Ole Virginny" of later days. Hence Dixie became the synonym for a locality where the negroes lived happy and contented lives. In the South Dixie is taken to mean the Southern States. There the word is supposed to have been derived from Mason and Dixon's line, formerly dividing the free and slave States. It is said to have first come into use there when Texas joined the Union, and the negroes sang of it as Dixie. It has been the subject of several popular songs, notably that of Albert Pike, "Southrons, hear your country call;" that of T. M. Cooley, "Away down South where grows the cotton," and that of Dan Emmett, the refrain usually containing the word "Dixie," or the words "Dixie's Land." During the Civil War the tune of Dixie was to the Southern people what Yankee Doodle had always been to the people of the whole Union and what it continued in war times to be to the Northern people, the comic national air.

Dixie, The, mentioned, X, 93, 583, 584, 687.

Dixie Forest Reserve, proclaimed, XI, 1079.

Doane, R. L., act granting pension to, vetoed, VIII, 718.

Dock Yards for construction of large vessels recommended, II, 31.

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Appropriations for building, should be separated from those of naval service, V, 89, 134.

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Referred to, II, 200, 419; IV, 564.

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Report of commission to select, transmitted, IX, 131; 215.

Spanish war vessels repaired at American, VII, 51.

Dodge, Henry, troops in Indian campaign under command of, III, 113.

Dodge, William E., member of Indian commission, VII, 23.

Dole, Sanford B.:

Member of commission to recommend legislation for Hawaiian Islands, X, 108.

Minister of foreign affairs of provisional government of Hawaii, letter from, transmitted, IX, 474, 475.

Sovereignty of Hawaiian Islands transferred to United States by, X, 107.

Dole, William F., treaty with Indians concluded by, VI, 192, 193, 194, 199, 201, 210, 212.

Dollar.—Derived from daler or thaler. The American silver dollar is modeled after the Spanish milled dollar. It was authorized by an act of Congress passed in 1792, which declared 371½ grains of pure silver to be equal to 24¾ grains of pure gold and each equivalent to a dollar of account. It was made the unit of value. The silver dollar was first coined in 1794 and weighed 416 grains, 371½ grains being of silver and the remainder alloy. In 1837 the weight was reduced to 412½ grains by decreasing the weight of alloy. In 1873 provision was made for a dollar of 420 grains for use in trade with China and Japan known as the "trade dollar." The gold dollar was issued under the act of Mar. 3, 1849. Its coinage was discontinued in 1890. The coinage act of Feb. 12, 1873, tacitly suspended the coinage of silver dollars (except the trade dollar) and made the gold dollar the standard of value. The act of Feb. 28, 1878, authorized the Secretary of the Treasury to purchase each month, at market value, not less than \$2,000,000 and not more than \$4,000,000 worth of bullion, to be coined into silver dollars of 412½ grains each. This act was repealed by the act of June 14, 1890. By act of 1900, the gold dollar again became the standard of value in this country. (See Coinage Laws; Coins and Coinage.)

Dolphin, The (British cruiser), seizure of the *Catharine* by, discussed, IV, 217.

Dolphin, The (United States brig), seizure of the *Echo* by, discussed, V, 527.

Dolphin, The (United States dispatch boat), contract regarding construction of, discussed, VIII, 350.

Dominican Republic. (See Santo Domingo.)

Donaldson, Edward, thanks of Congress to, recommended, VI, 76.

Donaldson, Joseph, Jr., treaty with Algiers concluded by, I, 192.

Donelson, Andrew J., minister to Germany, nomination of, IV, 605.

Recall of, referred to, V, 11.

Doorkeeper.—By an act of Mar. 3, 1805, the designation of Doorkeeper of the Senate was changed to Sergeant-at-Arms. He executes all orders relating to decorum and is officially charged with all matters relating to the keeping of the doors of the Senate. He orders persons into custody and makes arrests by direction of the Senate. The duties of the Doorkeeper of the House of Representatives are varied and complicated. Under the rules of the House he is required to enforce the rules relating to the privileges of the floor, and is responsible for the conduct of his employees—messengers, pages, laborers, etc. He also has charge of all the property of the House. He reports to Congress annually the amount of United States property in his possession, also the number of public documents in his possession subject to orders of members

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of Congress. He has more patronage than any other officer of the House. The appointments made by him number between 160 and 200.

Dorn, Andrew J., commissioner for the United States, treaty made by, with the Senecas, August, 1854, V, 296.

Dorr's Rebellion.—A forcible effort to overthrow the State government of Rhode Island in 1840-1842. After the Declaration of Independence Rhode Island retained her original colonial charter, which provided for only limited suffrage. Many of the citizens were dissatisfied with the State government. In October, 1841, a convention of delegates prepared a constitution. This was submitted to popular vote and, it was claimed, received a majority of the votes cast. The established government considered these efforts to be little short of criminal. A legislature elected under the new constitution assembled at Newport May 3, 1842, with Thomas W. Dorr as governor. Governor King proclaimed martial law. The Dorr party offered armed resistance, but their forces were dispersed and Dorr fled the State. Returning, he again offered resistance to the State authorities, but was captured, tried, and convicted of treason. He was pardoned in 1852. In September, 1842, a State convention adopted a constitution which embodied nearly every provision that had been advocated by Dorr and his followers.

Dorr's Rebellion:

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Discussed, IV, 283.

Doty, James D.:

Mentioned, VI, 196.

Treaty with Indians concluded by, IV, 59.

Dougherty, Mary Ann, act granting pension to, vetoed, VIII, 820.

Doughface.—A term first applied by John Randolph, of Virginia, to Northern Congressmen who supported the Missouri Compromise of 1820. It was intended to apply to those who were easily molded by personal or unworthy motives to forsake their principles. It was generally applied to Northern people who favored slavery, but was also sometimes used to stigmatize those Southern citizens who opposed the prevailing sentiment of their section on the slavery question.

Douglas, James, governor of Vancouver Island, repayment of sum advanced by, recommended, V, 536.

Douglass, Frederick, recorder of deeds, District of Columbia, resignation of, referred to, VIII, 531.

Douglas, The, indemnification for, to be made by Great Britain, IV, 258.

Dow, Jennette, act granting pension to, vetoed, VIII, 478.

Drafts, Government, sale or exchange of, for bank notes, and payment of Government creditors in depreciated currency, III, 560, 580, 590, 591.

Drafts, Military.—A drawing by lot to select men to fill the ranks of the Army in time of war. The method of increasing the Army by draft was first resorted to in 1814, during the war with Great Britain. Militiamen only were subject to this draft, and the result was unsatisfactory. During the Civil War an

effort was made to recruit the Army by a draft upon the militia. A bill having this object in view failed in Congress on the ground of unconstitutionality. Another bill, prepared without reference to the militia, but operative upon every able-bodied male citizen of military age, passed Congress May 3, 1863. An attempt to enforce this act caused a serious outbreak of the lawless element of the people of New York City. The city was in the hands of a mob for 3 or 4 days and much valuable property was destroyed. Apr. 16, 1862, and July 18, 1863, the Confederate congress passed conscription laws.

Drake, Mary J., act granting pension to, vetoed, VIII, 820.

Drawback.—A term used in commerce to signify the remission or refunding of tariff duties when the commodity upon which they have been paid is exported. By means of the drawback an article upon which taxes are paid when imported may be exported and sold in foreign markets on the same terms as though it had not been taxed at all. The drawback enables merchants to export imported articles taxed at home and sell them in foreign markets on the same terms as those offered from countries where no tax is imposed.

Drayton, Daniel, pardon of, referred to, V, 385.

Dred Scott Case.—A celebrated Supreme Court case, decided in 1857, important from its bearing on the Missouri Compromise of 1820. Scott was a Missouri slave, and upon being taken into territory covered by the Missouri Compromise sued for his freedom. Being then sold to a citizen of another State, he transferred his suit from the State to the Federal courts under the power given to the latter to try suits between citizens of different States. The case came on appeal to the Supreme Court of the United States. Chief Justice Taney, for the court, delivered an exhaustive opinion, holding that the Missouri Compromise was unconstitutional and void; that one of the constitutional functions of Congress was the protection of property; that slaves were recognized as property by the Constitution, and that Congress was therefore bound to protect slavery in the Territories. Scott was put out of court on the ground that he was still a slave and being such could not be a citizen of the United States or have any standing in Federal courts. Associate Justices Curtis and McLean filed dissenting opinions. The decision aroused great excitement throughout the country, particularly in the North.

Dred Scott Case, Supreme Court decision regarding, discussed, V, 454, 498, 554, 629.

Drexel, Joseph W., chairman of executive committee on pedestal of Statue of Liberty Enlightening the World, VIII, 397.

Driver, The, ordered from and forbidden to reenter waters of United States, I, 403.

Drum, Richard C., Adjutant-General:

Union and Confederate flags, return of, to respective States, recommended by, VIII, 578.

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Dry Docks. (See Docks.)

Dry Tortugas, survey of, for naval station, II, 475.

Duck Valley, Nev., payment of settlers for improvements on lands in, referred to, VIII, 77, 189.

- Dudley, The**, seizure of, and claims arising out of, VII, 160; VIII, 613; IX, 112, 238, 441, 530.
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- Dullye, Eugene**, expulsion of, from Prussia, V, 592.
- Duluth, Minn.**, act for erection of public building at, vetoed, VIII, 469.
- Dunbar, William**, appointed to explore Washita River, I, 399.
- Dunham, Aaron**, district supervisor, nomination of, I, 99.
- Dunkirk, N. Y.**, proclamation granting privileges of other ports to, V, 326.
- Dunlap, Margaret**, act granting pension to, vetoed, VIII, 542.
- Dunlap, Robert P.**:
Correspondence regarding imprisonment of Ebenezer S. Greely, III, 358, 405.
Correspondence regarding northeastern boundary. (See Northeastern Boundary.)
- Dupont, Samuel F.**:
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- Durand, E. Dana**, appointed to Civil Service, X, 632.
- Durango, The**, convention with Texas for adjustment of claims in case of, III, 469.
- Duskin, George M.**, removal from office of, President declines to give reasons for, VIII, 375.
- Dutch East Indies**, discriminating duties on vessels of, suspended, VIII, 569.
- Duties.** (See Foreign Import Duties; Import Duties; Vessels, Foreign, tonnage on.)
- Dwamish Indians**, treaty with, V, 379.
- E**
- E Fluribus Unum.**—A Latin phrase meaning "Out of many, one," or "One of many." It alludes to the formation of one Federal Government out of several independent States. It is the motto of the United States, having been selected by a committee composed of John Adams, Benjamin Franklin, and Thomas Jefferson. They made their report on a design for a motto and great seal Aug. 10, 1776. The phrase is probably derived from "Moretum," a Latin poem by Virgil. It was also the motto of the Gentleman's Magazine, which was quite popular in the Colonies at the time the selection was made. It first appeared on coin issued by New Jersey in 1786.
- Eads, James B.**:
Grants to, for construction of jetties in Mississippi River, order regarding, VII, 328.
Improvement of South Pass of Mississippi River, under, discussed, VII, 408, 572.
- Eagle.**—The \$10 gold coin of the United States. Its coinage was authorized in 1792. Coined first in 1794, it has since been legal tender to any amount. The first delivery was of 400 eagles Sept. 22, 1795. Coinage was suspended in 1805 and resumed in 1837. It takes its name from the figure of the national bird which is stamped on the reverse. (See also Coinage Laws; Coins and Coinage.)
- Earthquakes in Peru, Ecuador, and Bolivia**, VI, 687.
- East Florida.** (See Florida.)
- East Florida Claims**:
Discussed and payment of, recommended, III, 510; IV, 53; VII, 568, 584, 608.
Reports on, referred to, VII, 589.
- East River, N. Y.**, appropriation for removal of Flood Rock in, recommended, VIII, 201.
- East Tennessee University**, act for relief of, vetoed, VII, 215.
- Eastport, Me.**, proclamation granting privileges of other ports to, V, 326.
- Eastry, The**, collisions of, X, 552, 711.
- Eaton, Dorman B.**, chairman Civil Service Commission, report of, discussed, VII, 636.
- Eaton, John**, publication of second edition of Second Arctic Expedition suggested by, VIII, 79.
- Eaton, John H.**, treaty with Indians concluded by, III, 52.
- Eaton, Lydia A.**, act granting pension to, vetoed, VIII, 736.
- Eaton, William**:
Correspondence regarding war with Tripoli transmitted, I, 391.
- Echo, The**, captured with more than 300 African negroes on board by U. S. brig *Dolphin*, near Key Verde, on the coast of Cuba, and taken as a prize to Charleston, S. C., V, 527.
Recommendations regarding removal of, V, 528.
- Eckert, Jacob**, act to remove charge of desertion from record of, vetoed, IX, 575.
- Eckert, T. T.**, negotiations for, and correspondence regarding restoration of peace, VI, 260.
- Ecuador.**—A Republic of South America. It is bounded on the north by Colombia, on the south by Peru, and on the west by the Pacific Ocean. Eastward its claims extend to the confines of Brazil, but the claim to the eastern base of the Andes is disputed by Colombia and Peru. The country is traversed from north to south by the Andes. Some of the highest peaks of South America are in Ecuador, and there are also numerous volcanoes. The principal products and exports are cocoa, ivory nuts, coffee, rubber, straw hats and hides; Panama hats are made almost exclusively in Ecuador. The inhabitants are whites (of Spanish descent), Indians, and mixed races. The President is elected for 4 years. The Congress consists of 2 chambers. Catholic is the prevailing religion, but the constitution of 1886 guarantees the free exercise of all religions. Ecuador was conquered by the Spaniards in 1533-34. With the aid of Bolivar the Spanish rulers were expelled (1822-23), and the country was united to the Colombian Confederation. In 1830 it seceded and adopted its present name. Political revolutions have been frequent in the country. Area, about 116,000 sq. miles; population (1900), 1,205,600.
- Ecuador**:
Civil war in, III, 100.
Claims of United States against, convention for adjustment of, VI, 147, 201.
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Diplomatic relations with, discussed, VIII, 43; IX, 33.
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- Fugitive criminals, convention with, for surrender of, VII, 206, 293.
- Imprisonment of American citizens in, VIII, 269.
- Released, VIII, 330, 405.
- Treaty to settle claim regarding, VIII, 784.
- Naturalization treaty with, VII, 165, 239.
- Report of George E. Church upon, transmitted, VIII, 157.
- Treaty with, transmitted and discussed, III, 567; IV, 198; VI, 147; VII, 206, 293.
- Expresses desire to negotiate, III, 477.
- Probably rendered abortive, IV, 80.
- Edgcomb, Willard W.**, treaty with Orange Free State concluded by, VII, 162.
- Education** (see also Indian Schools; Military Academy; National University; Naval Academy):
 - Act donating lands for benefit of agricultural colleges vetoed, V, 543.
 - Appropriation of proceeds of sales of public lands for, recommended, VII, 152, 203, 606, 626; VIII, 58.
 - Constitutional amendment regarding, suggested, I, 409, 456; II, 18.
 - Constitutional amendment regarding maintenance of free schools by States, etc., recommended, VII, 334.
 - Government aid to, recommended by President—
 - Arthur, VIII, 58, 143, 184, 253.
 - Harrison, Benj., IX, 54.
 - In Alaska, appropriation for, recommended, VIII, 80; IX, 48.
 - In Army discussed, VII, 618; IX, 447.
 - In Indian Territory, recommendations regarding, X, 121.
 - Lands granted to States in aid of, II, 466, 482; VI, 389; VII, 252; IX, 542.
 - Recommended, I, 410, 485; VII, 111, 254.
 - Of freedmen discussed and referred to, VII, 41; IX, 54.
 - Recommendation that States be required to afford good common schools, VII, 356.
 - Recommendations regarding education in States, VII, 479, 506, 602, 626.
 - Sectarian tenets not to be taught in public schools, VII, 356.
- Education, Bureau of:**
 - Discussed by President—
 - Grant, VII, 112, 253.
 - Hayes, VII, 579, 626.
 - Establishment of, referred to, VII, 112.
- Education, Commissioner of:**
 - Duties of, respecting education of freedmen referred to, VII, 41.
 - Report of, referred to, VII, 506.
- Education, Industrial**, report on, transmitted, IX, 347.
- Educational Land Grants**, II, 466, 482; VI, 389; VII, 252; IX, 542.
- Recommended, I, 410, 485; VII, 111, 254.
- Educational Requirements for Voters**, recommended by President Grant, VII, 356, 411.
- Edwards, Arthur, et al.**, act for relief of, vetoed, V, 607.
- Edwards, Ninian:**
 - Minister to Mexico, examination of, by committee referred to, II, 239.
 - Treaty with Indians concluded by, II, 20.
- Edwards, W. H.**, report of, transmitted, IX, 334.
- El River Indians:**
 - Payment to, in lieu of annuities, VIII, 530.
 - Treaty with, I, 363, 390, 397, 478, 479.

Egan, Patrick, minister to Chile. (See *Baltimore*, The.)

Egypt.—A country in northeastern Africa. It is famous for the great antiquity and former splendor of its civilization. It is bounded on the north by the Mediterranean Sea, on the east by the Gulf of Suez and the Red Sea, and on the west by the African Desert. Its soil has been celebrated for its great productiveness, due to the inundations of the river Nile, three sets of crops being raised each year. The chief products are cotton, sugar, beans, wheat, ivory, oil seeds and senna. Egypt has 14 provinces and is a hereditary vice-royalty ruled by a Khedive. Egypt is nominally subject to Turkey and pays an annual tribute of \$3,300,000, but in all internal and international affairs the Khedive is completely independent. In practice, however, the actual control is in the hands of Great Britain. The prevailing language is Arabic. Area, 380,000 sq. miles; population (1900), 9,734,495.

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- American citizens in, proclamation regarding rights of, VII, 277, 390.
- Discussed, VII, 290, 403.
- American representative in, death of, referred to, VI, 245.
- Ancient obelisk presented to New York City by Government of, VII, 568, 612.
- Change of personal head of, VII, 568.
- Commercial convention with, agreement regarding, VIII, 262.
- Consular courts in, discussed, VIII, 172.
- Consuls in, relieved of judicial powers discussed, VII, 238.
- Diplomatic relations with, VIII, 237.
- Resumed, VI, 245.
- Disturbances in, and protection for American citizens discussed, VIII, 128.
- Expulsion of Greeks from, referred to, V, 295.
- Judicial code of reform tribunal of, to be revised, VII, 612.

Ehrman, Felix, consular correspondence of, X, 566-570.

Eight-Hour Law.—Congress, Aug. 1, 1892, passed a law restricting to 8 hours the working day of all laborers and mechanics employed by the Government or upon Government contracts, but no corresponding reduction in wages was made (VII, 15, 175). Violation of this law is punishable by fine and imprisonment. (See also *Hours of Labor*.)

Ekin, James A., member of commission to try assassins of President Lincoln, etc., VI, 336.

El Caney (Cuba), Battle of. (See *Santiago (Cuba), Battle of*.)

El Caney, Cuba, captured by American troops, X, 92.

El Dorado, The, arrest and search of, by Spanish authorities, V, 336, 445.

Elder, Samuel S., member of Gun Foundry Board, VIII, 161.

Elderkin, David T., act granting pension to, vetoed, VIII, 455.

Eldridge, Rebecca, act for relief of, vetoed, VIII, 424.

Election Commission charged with inquiring into subject of election laws recommended, IX, 211, 331.

Election Law, Federal, recommended, IX, 55, 127, 331.

Election Laws.—Article I, section 4, of the Constitution provides that "the times, places,

Election Laws—Continued.

and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators." Uniformity in the election of United States Senators was first provided for by act of Congress in 1866 and for members of the House in 1875. July 2, 1890, a measure was introduced in the House to amend and supplement the election laws of the United States and to provide for a more efficient enforcement of such laws. It passed the House, but was defeated in the Senate. (See Force Bill.)

Elections.—The deliberate choice of a person or persons for office of any kind by the voting of a body of qualified or authorized electors. The first Presidential election was held in 1788-89. All the candidates stood for the offices of President and Vice-President, the one receiving the largest number of votes being declared elected President and the next highest Vice-President. Up to 1824 the electors in many of the States were chosen by State legislatures. In the colonial period the people of Massachusetts, Connecticut, and Rhode Island elected their governors. In all the Colonies the people elected the representatives in their assemblies, either by ballot or by a *viva voce* vote. The latter custom prevailed in Virginia. Laws against treating and violence were in force, but disturbances were not uncommon at voting places.

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Act prohibiting military interference at, vetoed, VII, 532.

Army and Navy prohibited from interfering in, VI, 668.

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In California, correspondence regarding national military forces to be used at, referred to, VII, 122.

In Louisiana, complications growing out of, discussed, VII, 207, 212, 296, 305.

Federal interference in, discussed, VII, 305.

Proclamations regarding, VII, 223, 276.

In Mississippi, proclamation regarding complications growing out of, VII, 322.

In the South and results of amendments to Federal Constitution discussed, VII, 493, 601.

In Virginia, troops at polling places during, referred to, VII, 413, 418.

Not to be held in Hawaii, X, 365.

Partisan interference in, by public officers—Discussed by President Tyler, IV, 52, 89.

Order regarding, of President—Cleveland, VIII, 494.

Hayes, VII, 450.

Presidential, discussed. (See President of United States.)

Stimulus of personal interests in, should be restrained, IV, 89.

Troops stationed at polling places in Southern States discussed, VII, 413, 418.

Elective Franchise to Freedmen:

Discussed by President—Garfield, VIII, 8.

Hayes, VII, 493, 601.

Johnson, VI, 359.

Free exercise of right of suffrage discussed and recommendations regarding, IX, 55, 127, 208.

Electoral College.—The name commonly given to the electors of a State when assembled to vote for President and Vice-President. Though informally used since about 1821, the term first appeared in the law of Jan. 23, 1845, which empowered each State to provide by law for the filling of vacancies in its "college of electors." Under the Constitution the electors are to meet at a time and place designated by the law of their State and separately vote by ballot for President and Vice-President. No organization is required, though the electors usually organize and elect a chairman. The original ballots are the property of the State. By a law of 1792 the electors are required to make 3 lists of the persons voted for, the respective offices they are to fill, and the number of votes cast for each. They must make, sign, and seal 3 certificates, 1 for each list, certifying on each that a list of the votes of such State for President and Vice-President is contained therein, adding thereto a list of the names of the electors of the State, made and certified by executive authority. They appoint a suitable person to deliver 1 certificate to the President of the Senate at the seat of Government. Another certificate is to be forwarded by mail to the President of the Senate. The third certificate is to be delivered to the Federal judge of the district in which they assemble. The electoral college is then dead, whether it adjourns or not.

Electoral College:

Increase of political power of Southern States in, due to constitutional amendments, discussed, VII, 493.

Joint resolution declaring certain States not entitled to representation in, discussed, VI, 260.

One branch of Congress formed into, productive of mischief, III, 176.

Referred to, IV, 335.

Electoral Commission.—In the Presidential election of 1876 Rutherford B. Hayes and Samuel J. Tilden were the respective Republican and Democratic candidates. Charges of fraud were made concerning the electoral votes of Florida, Louisiana, Oregon, and South Carolina. On Jan. 29, 1877, Congress appointed a commission, called the Electoral

Electoral Commission—Continued.

Commission, to investigate the charges and determine the validity of the returns. This is the only time a commission of this sort has been appointed and much doubt has been expressed as to its constitutionality. The commission consisted of 15 members—3 Republican Senators, 2 Democratic Senators, 3 Democratic Representatives, 2 Republican Representatives and 5 Associate Justices of the Supreme Court. Its members were Justices Nathan Clifford (president of the commission), Samuel F. Miller, Stephen J. Field, William Strong, and Joseph P. Bradley; Senators George F. Edmunds, Oliver P. Morton, Frederick T. Frelinghuysen, Thomas F. Bayard, and Allen G. Thurman (replaced later by Francis Kernan), and Representatives Henry B. Payne, Eppa Hunton, Josiah G. Abbott, George F. Hoar, and James A. Garfield. The commission, by a vote of 8 to 7, on Feb. 9, 1877, decided to sustain the validity of the Hayes electoral ticket in Florida, and later gave similar decisions regarding the returns from the other States. After the work of the commission the vote of the electoral college stood 185 for Hayes and 184 for Tilden.

Electoral-Commission Bill approved and reasons therefor, VII, 422.

Electoral Messengers, compensation to, recommendations regarding, VIII, 263.

Electors, Presidential.—The Constitution provides that the number of electors from each State for choosing President and Vice-President shall be equal to the number of Senators and Representatives from that State, no one of them to hold a national office. By 1872 the general ticket method of selecting electors was adopted in all the States. Before this several methods were in vogue, in some States by joint ballot of the legislature, in others by a concurrent vote of the two branches of the legislature, in still others by a district vote, and by general vote. (See Article XII of the Constitution, I, 36.)

Electors, Presidential:

Constitutional amendment regarding selection of, recommended, IX, 209.

Method of appointment of, and effect of gerrymander discussed, IX, 208.

Electric Telegraph. (See Telegraph Lines.)

Electricians, International Congress of, at Paris discussed and recommendations regarding, VII, 629; VIII, 38, 127.

Electricians, National Conference of, at Philadelphia, VIII, 371.

Elkhorn Forest Reserve proclaimed, XI, 910.

Ellery, Charles, lieutenant in Navy, nomination of, and reasons therefor, II, 566.

Ellett, Charles, ordered to report to Rear-Admiral Porter, VI, 124.

Ellicott, Andrew, United States commissioner for running line between United States and Spanish possessions, II, 306.

Ellis, Albert G., treaty with Indians concluded by, IV, 679.

Ellis, Powhatan, minister to Mexico:

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Nomination of, III, 320.

Ellsworth, Oliver, minister to France, nomination of, I, 284.

Emancipation of Slaves:

Compensation to States abolishing slavery recommended, VI, 68, 91, 133.

Draft of bill for, VI, 84, 136.

Recommendation again to be made, VI, 96. Constitutional amendment regarding, recommended, VI, 252, 358.

Ratification of, VI, 372, 445.

Discussed by President Hayes, VII, 442.

Emancipation Proclamation.—Early in the Civil War many persons began to agitate for a proclamation from the President declaring the slaves free. It was the intention of President Lincoln, as he declared, to preserve the Union without freeing the slaves, if possible. Sept. 22, 1862, he issued a preliminary proclamation (VI, 96) as a war measure, calling upon all the people in rebellion against the United States to return to their allegiance, promising measures of relief in case of compliance, and threatening to free the slaves in those States and parts of States which should still be in rebellion on the 1st day of January next succeeding the proclamation. This had no effect. Accordingly, on Jan. 1, 1863, President Lincoln issued a supplementary proclamation (VI, 157) declaring the freedom of the slaves in all the States which had seceded except 48 counties in West Virginia, 7 counties in Virginia, including the cities of Norfolk and Portsmouth, and 13 parishes of Louisiana, including the city of New Orleans. The thirteenth amendment to the Constitution, in force Dec. 18, 1865, completed the work of emancipation, by which 3,895,172 slaves were made free.

Emancipation Proclamation, VI, 157.

Carpenter's painting of Lincoln and Cabinet at first reading of, presented to Congress, VII, 483.

Notice given that slaves would be emancipated on Jan. 1, 1863, VI, 96.

Embargo.—A prohibition imposed by a country to prevent its vessels or those of neutral or hostile powers leaving its ports. The United States Government laid embargoes at various times between 1794 and 1815. Upon the breaking out of war between France and Great Britain in 1793 each country ordered the seizure of neutral vessels bound for the ports of the other. In consequence of the depredations of England and France upon the commerce of the United States, an act was passed Apr. 18, 1806, prohibiting trade with Great Britain and her colonies. Dec. 22, 1807, Congress, at the suggestion of Jefferson, passed an embargo act prohibiting the sailing of any merchant vessel, save coasters, from any American port. Jan. 9, 1808, another and more stringent act was passed. These measures failed to bring either France or England to terms, and, though somewhat modified by the act of Mar. 12, 1808, they wrought much injury to the shipping and export trade of the United States. They were extensively evaded, and Mar. 1, 1809, were repealed and replaced by the nonintercourse law, which forbade French and English vessels entering American ports. Another embargo act was passed Dec. 10, 1813, during the second war with Great Britain.

Embargo:

On American vessels referred to, I, 439.

On foreign vessels—

For 60 days recommended, I, 499.

Governors requested to call forth militia if necessary to enforce, I, 152.

Imposed, I, 473.

Removed, I, 472, 481.

Embezzlement. (See Defalcation.)

- Emerson, John B.**, petition of, regarding use of his invention referred to, IV, 678.
- Emery, A. H.**, compensation to, for services in perfecting testing machine recommended, VII, 588.
- Emigrants to United States.** (See Immigration.)
- Emigration of Negroes.** (See Negroes.)
- Eminent Domain.**—The original or superior ownership retained by the people or State by which land or other private property may be taken for public use or benefit. This is the most definite principle of the fundamental power of the government with regard to property and the most exact idea of property remaining in the government or in the aggregate body of the people in their sovereign capacity, giving the right to resume original possession in the manner directed by law whenever its use is essential to the mutual advantage and welfare of society. If, for instance, the proper authorities deem it necessary for the general good to open a street, lay out a park, dig a canal, abate a nuisance, charter a railroad, etc., and the owners of the land on the route or space desired refuse to sell or demand an exorbitant price for their property, the State, by eminent domain, has the power of control, and the courts may compel the surrender of the property upon due compensation being determined by a board of appraisers. The Constitution of the United States limits the exercise of the right of eminent domain to cases where public good demands it and requires compensation to those from whom property is taken.
- Emmons, G. T.**, reports on Alaskan Indians, X, 847.
- Emory, U. E.**, map of Texas compiled by, IV, 313.
- Emory, W. H.**, report on survey of boundary between Mexico and United States transmitted, V, 382.
- Emory, William H.**, commander of the *Bear* in Lady Franklin Bay Expedition, VIII, 248.
- Employees.** (See Government Employees; Officers, Public.)
- Employers Liability Law** proposed for District of Columbia, X, 804; XI, 1138.
- Emucfau (Ala.), Battle of.**—In January, 1814, Jackson, with 930 volunteers and 200 friendly Indians, again took the field against the hostiles. Jan. 21, with Gen. Coffee, he camped near Emucfau, on a bend in the Tallapoosa, in southern Alabama. Indications pointed to the presence of Indians, and the whites kept vigil all the night. At dawn of the 22d the savages made the attack. Gen. Coffee repulsed the Indians, driving them back 2 miles. The Indians then rallied, attacking a second time, but were again repulsed. Gen. Coffee was wounded. His aid-de-camp and 2 or 3 others were killed. Several privates were wounded. Jackson abandoned his excursion after this battle and retired toward Fort Strother.
- Encomium, The**, seizure of slaves on board, referred to, III, 280.
- Compensation by Great Britain in case of, referred to, III, 515, 567.
- Endicott, Mordecai T.**, mentioned, XI, 1178.
- Endicott, William C.**, Secretary of War: Union and Confederate flags, return of, to respective States recommended, VIII, 578. Proposition withdrawn, VIII, 579.
- Engineer Corps:**
Entitled to consideration, I, 486.
Increase in, recommended, II, 307, 388; III, 168, 255, 390; VIII, 51.
Officers of, referred to, III, 468.
Recommending increase in, II, 307, 388; III, 168, 255, 390; VIII, 51.
- England.** (See Great Britain.)
- Eno, Amos F.**, secretary of Arkansas, appointment of, revoked, VI, 176.
- Entangling Alliances.**—An expression originally used by Thomas Jefferson in an inaugural address. He counseled "peace, commerce, and honest friendship with all nations, entangling alliances with none," as one of the principles which "form the bright constellation which has gone before us and guided our steps through an age of revolution and reformation" (I, 323). The expression has since come into general use in discussions of our foreign relations.
- Enterprise, The.**—An American brig of 14 guns which, while cruising off the coast of Maine, Sept. 5, 1813, under command of Capt. Burrows, met and captured the British brig *Boxer*, also of 14 guns. The fighting was desperate and lasted 40 minutes, during which both captains were killed. The captured brig was towed into Portland, Me.
- Enterprise, The** (brig), seizure of slaves on board, referred to, III, 280.
Compensation by Great Britain in case of, referred to, III, 515, 567.
- Enterprise, The** (schooner), engagement with Tripolitan cruisers, I, 327.
- Epidemics.** (See Contagious Diseases; International Sanitary Conference; Quarantine Regulations.)
- Era of Good Feeling.**—A period of American political history between 1817 and 1823. All political issues seemed to have been settled by the War of 1812. The Federalist party had dwindled to an insignificant few, and the grounds of their contentions seemed to have disappeared. The Democrats held undisputed sway in Government and the best of feeling prevailed everywhere. The inaugural address of Monroe in 1817 (II, 4) was calculated to promote harmony and soothe the feelings of the minority. The President made a tour through New England and was enthusiastically received. In 1820 he was almost unanimously reelected, only 1 electoral vote being cast against him. The later issues of the tariff and internal improvements at public expense had not yet developed, but with the election of John Quincy Adams in 1824 opposition to his policy began to grow, with Jackson as a center. Jackson had been the popular candidate for the Presidency in 1824. Failing of a majority in the electoral college, he was defeated in the House by a coalition of the friends of Clay and Adams, who later formed the Whig party, and the Era of Good Feeling ended.
- Ericsson, John:**
Memorial of American Society of Mechanical Engineers relating to, transmitted, IX, 130.
Restoration of remains of, to Sweden discussed, IX, 112.
- Erie, The**, claims of Sweden for alleged misconduct of commander of, II, 609.
- Erie and Oswego Canal**, memorial in favor of enlarging docks of, VI, 81.
- Erie, Lake.** (See Lake Erie.)

Erie (Pa.) Marine Hospital tendered United States for use as soldiers' and sailors' home, VIII, 199.

Ernst, Oswald H., mentioned, XI, 1178.

Erskine, D. M., mentioned, I, 449, 478, and X, 121.

Erving, George W.:

Instructions to, upon appointment as minister to Spain, in 1814, and during his mission to that court as United States plenipotentiary, IV, 357.

Erwin, Miss., riot at, X, 549.

Espriella, F. V. de la, foreign minister of Panama, X, 574.

Espy, James P., meteorological report of, transmitted, V, 244.

Essex, The.—A United States frigate of 32 guns. Aug. 13, 1812, she was attacked by the *Alert*, a British sloop of war carrying 26 guns. One broadside from the *Essex* nearly sunk the *Alert* and caused her surrender. Among the midshipmen of the *Essex* at this time was David Glasgow Farragut, then 11 years old. Later the *Essex* started for the Pacific on an independent cruise. At this time she carried 46 guns. Under command of Capt. David Porter she seized nearly all the British whaling vessels off the coast of South America, capturing or destroying \$2,500,000 worth of the enemy's property, 360 seamen, and over 100 cannon. In February, 1814, she was surprised in the harbor of Valparaiso, Chile, by 2 British men-of-war—the *Phoebe*, carrying 52 guns, and the *Cherub*, 28 guns. Mar. 28 the *Essex*, already crippled by a squall in the attempt to get to sea, tried to escape, but was surrendered a helpless wreck to the enemy after a bloody battle, in which one-half of her men and all but 1 officer were wounded or slain.

Essex Junto.—A synonym for New England Federalism. The name was first applied by John Hancock in 1781 to a group of Essex County (Mass.) Federalists. They advocated a stronger general government and the protection of the commercial interests of the country. President John Adams brought them into national prominence by accusing them of trying to bring on a war with France in 1798. Fisher Ames, Cabot, the Lowells, Higginson, Pickering, Parsons, and Goodhue were among the prominent members of the Essex Junto. John Quincy Adams sharply criticises their policy and principles in his writings.

Estcourt, James B. B., commissioner of Great Britain in northeastern boundary question, report of, IV, 170.

Estelle, The, order to United States marshal in Rhode Island to take possession of, VII, 491.

Esty, Charles J., act granting pension to, vetoed, VIII, 827.

Europe.—The smallest grand division of the Eastern Continent. It is bounded on the north by the Arctic Sea; on the east by the Ural Mountains, the Ural River, the Caspian Sea, and the Kara River; on the south by the Mediterranean Sea, the Black Sea, and the Sea of Marmora; and on the west by the Atlantic Ocean. It is the most highly civilized and populous of the three grand divisions of the Old World. In form it is a huge peninsula projecting from the northwest of Asia. Length northeast and southwest, 3,400 miles; breadth north and south, 2,400 miles. It lies

within lat. 71° 11' and 35° 59' north and long. 9° 31' and 66° east. Its area is estimated at about 3,555,000 sq. miles, and it has a coast line more extensive in proportion to its size than any other great natural division of the globe, estimated at about 19,500 miles. Population about 380,200,000, or 106 for every square mile.

Europe, railway systems of, referred to, VI, 69.

European and West Virginia Land and Mining Co., agreement with agents of Mexico referred to, VI, 525.

Eustis, Abraham:

Correspondence regarding Dorr's Rebellion, IV, 300.

Troops under, in Seminole War, III, 617.

Eutaw Springs (S. C.). Battle of.—Lieut. Col. Stewart had succeeded Lord Rawdon in command of the southern division of the British army and established headquarters at Orangeburg, S. C. Gen. Greene, who had been resting the American army on the hills of the Santee River, had been reinforced by 700 North Carolina Continentals. His army thus increased to more than 2,500 men, Green determined to attack Stewart, whose force did not exceed 2,000. Stewart fell back about 40 miles to Eutaw Springs, near the Santee River, in South Carolina. Here Sept. 8, 1781, a fierce but indecisive battle was fought. Stewart kept the field, but at night retired toward Charleston, and Greene took possession of the battle ground and sent detachments in pursuit of the British. The total American casualties as given by Gen. Greene were 408. The British loss was 693.

Evans, Charles D., appointed to civil service, X, 633.

Evans, Fannie, act granting pension to, vetoed, VIII, 464.

Evans, John, geological survey of Oregon and Washington by, referred to, V, 485.

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Evans, Robley D., mentioned, X, 72, 522.

Evarts, William M.:

Counsel for President Johnson in impeachment proceedings, VI, 726.

Secretary of State, first proclamation as, convened Congress in extraordinary session to provide for support of Army, VII, 447.

Everett, Edward:

Mentioned, IV, 229, 316; V, 377.

Secretary of State, V, 191.

Ewell, Richard S., mentioned, V, 31.

Ewing, Thomas, Secretary of Treasury, mentioned, IV, 157.

Ex Post Facto Law.—A law passed after the commission of a crime or misdemeanor for which it provides punishment; a retroactive law. The Constitution of the United States prohibits the passage of such laws either by Congress or by any other legislative body. A law which renders an act punishable in a manner in which it was not punishable when it was committed has also been decided to be an *ex post facto* law. Various decisions of the courts specifically define an *ex post facto* law to be one which makes an innocent act done before its passage criminal; one which aggravates a crime and makes it legally greater than when committed; one which changes the punishment, or makes it greater

Ex Post Facto Law—Continued.

than that affixed to the crime by the law when committed; one that changes the legal rules of evidence applicable to the offense already committed, to the injury of the offender. The constitutional prohibition of *ex post facto* laws applies to criminal and penal statutes only, and not to those which affect property.

Exchange for Official Documents (see also International Bureau of Exchanges):

Agreement at Paris concerning, VIII, 131.

Convention concerning, VIII, 400.

Exchange, Medium of. (See Medium of Exchange.)**Exchequer, plan of, recommended, IV, 204, 266.**

Excise Laws.—As early as 1790 a national excise law was passed. Alexander Hamilton, then Secretary of the Treasury, insisted that such a tax was necessary, but the law was not passed without a fierce debate. The tax imposed at first varied from 25 to 40 cents a gallon on imported spirits, from 9 to 25 cents on domestic distilled liquors, and from 11 to 30 cents when the material was molasses or other imported product. This tax was reduced in 1792. Opposition to it was strong throughout the country, culminating in the Whisky Insurrection in western Pennsylvania in 1794. Under Jefferson the excise tax was abolished. It was revived again in 1813, during the war with Great Britain. In 1817 it was again repealed and no excise tax was collected by the General Government until 1862, during the Civil War. In 1864 the excise rates were raised, the rates on liquor rising from 60 cents to \$2 per gallon, while in 1865 the rates were still further increased. After that time the excise rates gradually declined, till in 1875 the liquor tax stood at 90 cents per gallon. Excise rates remained thus until 1894 when the tax on liquor was raised to \$1.10. During the Spanish War, however, excise rates were again raised, those on fermented liquors being doubled. By an act of March, 1902, however, the last of the war taxes were removed and the rate of excise was left as it was before the war.

Excise Tax. (See Taxation.)

Executive.—That branch of a government to which the execution of the laws is intrusted. The executive may be a king, an emperor, or a president, or a council or other body. From 1775 to 1789 the United States Government had no other executive than Congress, which, however, created a Board of War, Board of Treasury etc. The Constitution invested the President with executive power, sharing only the powers of appointment and treaty making with the Senate. Executive Departments were established by the First Congress under the Constitution. Governors appointed by the Crown exercised the executive functions of the Colonies, except in Rhode Island, Connecticut, and for a short time in Massachusetts, whose governors were elected by the people. At the outbreak of the Revolution, when the royal governors had been deprived of their powers, and before the State constitutions had been adopted, executive power was invested in a committee of safety. In some Colonies an executive council, with a president or chairman, was chosen by the provincial congresses. Most of the State constitutions provided for gov-

ernors. In the United States the executive is one of the three great departments of government, the other two being the legislative and the judicial. Historically the legislative branch is first, because it was placed first in order in both the work of the Convention and in the final draft of the Constitution. Practically the executive department is clearly prior in consideration so far as foreign powers are concerned. Under some Administrations executive power has been greatest in influence; under others perhaps smallest of the three. The weight of the Executive has steadily increased since the inauguration of the Government, not only on account of the appointing power, which is shared with the Senate and which grows with the expansion of the Republic, but for other reasons. The President's functions are constantly exercised when Congress and the judiciary are taking recess. Besides, he is the one person who represents to the average citizen the concrete majesty of law—the embodiment of authority in a democratic representative government.

Executive Cabinet.—Official conduct of, complimented, IV, 350; V, 178.

Executive Departments.—The Executive Branch of the United States Government comprises the following nine subordinate Departments, each of which is presided over and directed by a head who is known as the Secretary of the Department. The Secretaries of the various Departments constitute what is termed the "Cabinet" (q. v.). They are chosen by the President, but must be confirmed by the Senate. Each acts under the authority of the President. The annual salary is \$8,000. (1) State, which administers foreign affairs; (2) Treasury, which has charge of the finances; (3) Justice, which is the legal counsel of the Government; (4) War, which administers military affairs; (5) post-Office, which has charge of mail service; (6) Navy, which has charge of naval affairs; (7) Interior, which has charge of matters pertaining to home affairs, including public lands, Indians, patents, pensions, education, railroads, and census; (8) Agriculture, which collects and disseminates information on agricultural subjects; (9) Commerce and Labor, which cares for the industrial interests of the country. The Department of Labor, which was created June 13, 1888, and absorbed in the Department of Commerce and Labor on its establishment, February 14, 1903, was an independent Executive Department, although its head was known as a Commissioner, instead of Secretary, and was not a member of the Cabinet.

Executive Departments (see also the several Departments):

Act regarding advertising of, vetoed, VII, 434.

Advertising in newspapers by, inquired into, V, 378.

Aliens employed in, report on number of, transmitted, IX, 670.

Applications to, should be in writing, VI, 348.

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Appointments and promotions in, order regarding preference to, be given veterans in, VI, 439; X, 505.

Appointments in, having relation to civil service, VIII, 405. (See also Executive Nominations.)

Executive Departments—Continued.

- Buildings occupied by, referred to, VI, 699.
- Canvassing for outside support for promotion forbidden, X, 505.
- Circulars asking for political contributions circulated in, VIII, 197.
- Closed for Thanksgiving, VI, 44.
- Communications to be transmitted to head of proper Department, order regarding, VI, 661; VII, 27.
- Employees in—
 - Official conduct of, complimented, V, 178.
- Order permitting—
 - To participate in decoration of graves of soldiers, VI, 664; VII, 164, 183, 230, 283, 328, 398, 450, 491, 556, 600; VIII, 13, 125, 166, 231, 314, 493, 765; IX, 28, 105, 174, 400, 517, 614.
 - To participate in public exercises, VIII, 292; X, 365, 370, 386, 508.
 - To witness inauguration of President Cleveland, VIII, 294.
- Ordered to organize into companies for defense of Washington, VI, 122.
- Partisan interference in elections by. (See Elections.)
- Referred to, VI, 387.
- Rendering honors to rebel living or dead inquired into, VI, 393.
- Wages of, not to be affected by reduction in hours of labor, VII, 15, 175.
- Examination of operations of, invited, IX, 626.
- Extension of power to make temporary appointments of heads of, recommended, VI, 147. (See also IX, 133.)
- Personal interviews with heads of, order regarding, VI, 348.
- Postage accounts of, referred to, IV, 510.
- Power of judiciary over, discussed, III, 503.
- Record of efficiency of persons in, IX, 207.
- Recommended, IX, 180.
- Salaries in, X, 521.
- Transfer of duties among, recommended, IV, 414; VII, 106.
- Vacancy occasioned by death of head of, recommendations regarding filling, IX, 133. (See also VI, 147.)

Executive Mansion.—The President's official residence at Washington. It is built in the English Renaissance style of architecture, with a projecting columned and pedimented porch on the front entrance and a large semi-circular projecting bay on the garden front opposite. The corner stone was laid by Washington in 1792, and it was first occupied by President John Adams in 1800. It stands on Pennsylvania avenue, slightly over a mile from the Capitol, and is surrounded by about 20 acres of handsomely laid out grounds. The Executive Mansion is 2 stories high, and 176 feet long, 86 feet wide, and is built of freestone painted white. From this latter circumstance it is familiarly known as the White House. When the British captured Washington in 1814 the Executive Mansion, together with other buildings, was burned. Congress authorized its restoration in 1815, which was completed in 1818, and it has been occupied by each successive President since. The White House had long been too small for the purpose it was intended to serve and in 1902-3 extensive alteration and additions were made, many features of the original architect were restored and the pressure of space was relieved by the erection of execu-

tive offices in the grounds connected with the main building.

Executive Mansion:

- Completion of, II, 26.
- Furniture should be provided for, by Congress, II, 26.
- Improvement of, II, 239.
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Executive Nominations (see also Removals from Office):**Act—**

- Prescribing oath of office to be taken by persons who participated in rebellion discussed, VII, 122.
- Regulating tenure of certain civil offices vetoed. (See Tenure-of-Office Act.)
- Appointing power discussed by President—
 - Buchanan, V, 659.
 - Fillmore, V, 80.
 - Jackson, III, 42, 53, 132.
 - Johnson, VI, 492, 569, 622.
 - Tyler, IV, 50, 105.

Appointments—

- Applicants refused by President Tyler, IV, 105.
- For limited period, II, 69.
- Referred to, VI, 464.
- Relation of members of Congress to, discussed, VII, 605.
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Interviews with President, IX, 399.

Persons appointed or permitted to continue in office without consent of Senate inquired into, VI, 465.

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House for names of applicants for office refused by President Tyler, IV, 105.

Senate for correspondence regarding, right to make, denied by President Jackson, III, 53.

Senate for reasons for making, refused by President Jackson, III, 42, 132.

Resolution of Senate regarding, and reply of President Hayes, VII, 481.

Rules regulating interviews with President regarding, discussed, IX, 399.

Withdrawal of, by President—

- Harrison, W. H., not acted on by Senate, IV, 21.

Jackson, not acted on by Senate, II, 439.

Executive Orders. (See the several subjects.)**Executive Salaries.** (See Salaries, Executive.)

Executive Session.—The Constitution of the United States provides that the President "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law." A rule of the Senate providing for the manner of advising and consenting to Executive recommendations

Executive Session—Continued.

requires that "when acting upon confidential or executive business, unless the same shall be considered in open executive session, the Senate Chamber shall be cleared of all persons except the Secretary, the Chief Clerk, the Principal Legislative Clerk, the Executive Clerk, the Minute and Journal Clerk, the Sergeant-at-Arms, the Assistant Doorkeeper, and such other officers as the Presiding Officer shall think necessary, and all such officers shall be sworn to secrecy." The Senate is then said to be in executive session. The House holds no executive sessions. It may go into secret session, however, whenever confidential communications are received from the President, or whenever the Speaker or any member shall inform the House that he has a communication which ought to be kept secret for a time.

Exequatur.—A Latin word meaning "Let him execute." In diplomatic usage the word is used to signify a document authorizing an official to act in the capacity of agent or representative. Usually a written recognition of a person in the character of consul or commercial agent issued by the government to which he is accredited and authorizing him to exercise his powers. The government from which an exequatur is asked has the right to refuse it either on political or personal grounds. The government may also withdraw it. When deprived of his exequatur a consul may withdraw with his records or delegate his powers to another, according to instructions.

Exequaturs:

Refusal of Turkey to grant exequaturs to consuls of United States referred to, IX, 660, 716.

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Exhibitions.—International and national exhibitions have been described as the milestones of commercial and industrial progress. They cultivate taste, afford material for comparison, and make people acquainted with the markets. Many branches of business have been called into existence or extended by their influence. The first international exhibition held in America was that at New York City in 1853. On a very much larger scale was that held in Philadelphia in 1876, known as the Centennial Exposition. Then followed the International Cotton Exposition at Atlanta, Ga., in 1881; the Southern Exposition at Louisville, Ky., in 1883; the World's Columbian Exposition at Chicago, (q. v.) Ill., in 1893; the Midwinter Exhibition at San Francisco, Cal., in 1893-94; the Inter-

national Cotton Exposition at Atlanta, Ga., in 1895; the Tennessee Centennial Exhibition at Nashville in 1897, the Trans-Mississippi Exhibition at Omaha, Nebr., in 1898; the Pan-American Exposition at Buffalo, N. Y., in 1901; the South Carolina Inter-State and West Indian Exposition at Charleston, S. C., in 1902; the Louisiana Purchase Exposition (q. v.) at St. Louis, Mo., in 1904 and the Lewis and Clark Centennial Exposition at Portland, Ore., in 1905.

Exhibitions (see also Adelaide; Antwerp; Arcachon; Atlanta; Barcelona; Bergen; Berlin; Boston; Brussels; Caracas; Chicago; Cincinnati; Hamburg; London; Louisville; Madrid; Melbourne; Munich; New Orleans; Oporto; Paris; Philadelphia; Sydney; Vienna):

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McKinley, X, 23, 56, 70, 82.

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Taylor, V, 10, 17.

Tyler, IV, 37, 196, 211, 307, 316, 318, 323, 337, 340, 353.

Van Buren, III, 373, 485, 531, 602.

Washington, I, 128, 221.

Expatriation.—The voluntary renunciation of the rights and liabilities of citizenship in one country to become the citizen or subject of another. The right of expatriation has been sanctioned by custom and usage in the United States. The Government has even in a number of instances refused protection to native-born and naturalized citizens on the ground that they had expatriated themselves. Notwithstanding this there has never been any statutory provision for expatriation other than is contained in the act of Congress of July 27, 1868, which declares it the natural and inherent right of all people, and that any denial or restriction thereof is contrary to the fundamental principles of government. Expatriation has been frequently

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pleaded before the Supreme Court, but the plea has always been overruled. Though the right be admitted, except in the case of persons subject to military service, holding public trusts, or charged with crime, the difficulty remains to give evidence of the mode of expatriation. British subjects cease to be such upon being naturalized in other countries, and such persons, in order to be again considered British subjects, must be renaturalized on their return to Great Britain. In France and Germany the somewhat indefinite claim of domicile in a foreign land is accepted as evidence of expatriation.

Expatriation. (See Naturalization Laws.)**Expeditions Against Foreign Powers** (see also Neutrality):

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Expeditions, Exploring. (See Exploring Expeditions.)**Expeditions, Unlawful.** (See Expeditions Against Foreign Powers.)

Expenditures, Public.—In 1794 the annual expenditures of the Federal Government amounted to only \$6,300,000. In 1814 they ran up, on account of the war with Great Britain, to \$34,700,000. They fell in 1834 to \$18,600,000. In 1854 they were \$55,000,000. During the last year of the Civil War (1865) they amounted to \$1,295,000,000; but in 1878 they had declined to \$237,000,000. For the following 10 years the expenditures averaged \$260,000,000 per annum. For the fiscal year ending June 30, 1893, they were \$459,400,000, made up largely of interest and pensions. In 1896 they were \$434,678,654, and for the year ending June 30, 1899, they had increased to \$605,072,180. Since the Spanish War the expenditure has naturally been reduced; for the year ending June 30, 1905, it was \$567,411,611, or some \$23,987,752 in excess of the revenue.

Expenditures, Public (see also Foreign Intercourse):

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Approved and reasons therefor, V, 597; VII, 373.

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Act making appropriations to supply deficiencies vetoed, IX, 683.

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Exploring Expeditions (see also Arctic Expeditions; *Jeannette* Polar Expedition; Lady Franklin Bay Expedition; Pacific Ocean Exploring Expedition; South Sea Exploring Expedition; Wilkes Exploring Expedition):

Across continent recommended, I, 353; II, 320.

Naval expeditions referred to, VII, 497.

Explosives, order to prevent shipment of, VIII, 228.

Export Duties, levied by foreign powers referred to, VIII, 157.

Exports.—The value of exports from the United States was, in round numbers, in 1790, \$20,000,000; in 1800, \$32,000,000; in 1810, \$42,000,000; in 1820, \$52,000,000; in 1830, \$58,500,000; in 1840, \$112,000,000; in 1850, \$135,000,000; in 1860, \$356,000,000; in 1870, \$455,000,000; in 1880, \$824,000,000; in 1890, \$845,000,000; in 1892, \$1,113,000,000; in 1901, \$1,460,462,806; in 1902, \$1,355,481,861; in 1903, \$1,392,231,302; in 1904, \$1,435,171,251; in 1905, \$1,491,744,641. These figures do not include exports of gold and silver.

Exports:

Aggregate of, to France referred to, II, 199

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Recommended, I, 532.

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1852, V, 169.

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Value of, from commencement of Government, II, 482.

Expositions. (See Exhibitions.)

Express, The, American vessel attacked by, V, 139, 144.

Expunging Resolutions.—Mar. 28, 1834, the Senate passed a resolution censuring President Jackson and declaring that in removing the Federal deposits from the Bank of the United States he had assumed authority not conferred by the Constitution and the laws. Through the efforts of Senator Benton an "expunging resolution" was passed Jan. 16, 1837. A black line was drawn around the resolution of censure in the Journal and across it was written the words "Expunged by order of the Senate this 16th day of January, 1837." The expunging resolution was strenuously opposed by Webster, Clay, and Calhoun.

Extradition Conventions. (See Fugitive Criminals.)

Extradition, International.—Extradition treaties have been concluded by the Government of the United States with the principal governments of the world and many of the smaller ones. The first was that with Great Britain negotiated by John Jay in 1794. Congress, however, made no law for carrying out its provisions. Again, in 1842 a second treaty was negotiated. This was found to be inadequate in many ways. For instance, a criminal whose offense was not covered by the treaty was extradited on another charge and then tried for his real offense. This called forth a protest from Great Britain. By 1886 the treaty of 1842 was found to be entirely inadequate to existing conditions. The Phelps-Rosebery convention of that year offered a more satisfactory system, but was rejected by the Senate. That body, however, ratified the Blaine-Pauncefote convention of 1889, which accomplished the desired result. The United States has now extradition treaties with 34 nations, but has no such treaties with the following countries: Bulgaria, China, Costa Rica, Dominican Republic, Egypt, Greece, Honduras, Korea, Morocco, Panama, Paraguay, Persia, Portugal, Roumania, Siam and Venezuela. The latest extradition treaties negotiated were those with Cuba and Uruguay in 1905. Crimes which are recognized as extraditable with all nations are: murder, and attempts to murder, arson, robbery, embezzlement, forgery and counterfeiting. Crimes at sea are extraditable with all but France. Burglary, criminal assault, abduction, perjury and destruction of railroads are extraditable under the majority of the treaties.

Extraordinary Session Messages. (See Special Session Messages.)

Extraordinary Sessions of Congress, proclamations convening, by President—

Adams, John, I, 232.

Cleveland, IX, 396.

Harrison, W. H., IV, 21.

Hayes, VII, 447, 520.

Jefferson, I, 357, 424.

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McKinley, X, 245.

Madison, I, 491, 544.

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Van Buren, III, 321.

Extraordinary Sessions of Senate, proclamations convening, by President—

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Adams, J. Q., II, 431.

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Harrison, Benj., IX, 382.

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Van Buren, III, 640.

Washington, I, 138, 212, 587.

Ezeta, Carlos:

Extradition proceedings in case of, transmitted, IX, 109, 560.

Ezra's Church (Ga.), Battle of.—July 27, 1864, Maj. Gen. O. O. Howard was appointed to the command of the Army of the Tennessee and Gen. Hooker resigned the command of the Twentieth Corps, being succeeded by Gen. H. W. Slocum. The Army of the Tennessee was moved from the extreme left to the extreme right of the position before Atlanta. Gen. Hood, taking advantage of this movement, July 28 made an attack on the Fifteenth Corps, under Logan, at Ezra's Church. Logan was well supported by Blair's and Dodge's corps. The Federal accounts represent that the fighting continued from noon till 4 o'clock p.m., when the Confederates retired with a loss of 2,000. The Federal loss was 600. Gen. Sherman says that the Confederates sustained an overwhelming defeat. Gen. Hood states that no material advantage was gained by either opponent, and that the loss was small in proportion to the numbers engaged.

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Fabens, J. W., Dominican minister, mentioned VII, 63.

Fair Oaks (Va.), Battle of. (See Seven Pines (Va.), Battle of.)

Fairchild, Lucius:

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Fairfield, John, correspondence regarding northeastern boundary. (See Northeastern Boundary.)

Falconer, Alexander, act granting pension to, vetoed, VIII, 543.

Falkland Islands.—A group of islands in the South Atlantic Ocean belonging to Great Britain. It comprises about 100 islands. They were discovered in 1592 and are now claimed by the Argentine Republic. Area, 6,500 sq. miles; population (1901), 2,043.

Falkland Islands:

Claims of Argentine Republic respecting acts of American minister at, VIII, 325.

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Farewell Address of President—

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Faris-El-Bakim, maltreatment of, in Egypt and indemnity for, referred to, VI, 77.**Farm Products.** (See *Agricultural Products*.)**Farman, Mr.**, mentioned, VII, 612.

Farmville (Va.), Battle of.—After the evacuation of Richmond, Lee's army was moving westward toward Farmville, where he hoped to cross the Appomattox, burn the bridges, and check the pursuit of the Federals. Meantime Ord, with his command of the Army of the James, was also advancing toward Farmville to burn the bridges and intercept Lee at that point. His advance consisted of 2 regiments of infantry and a squadron of cavalry under Gen. Theodore Read. At Farmville the Confederates made a short halt. Read appearing, he was attacked by Lee. In the conflict Read was killed, his column brushed aside and the retreating army crossed the river. After the death of Read, Ord's command arrived, and the Confederates began to intrench themselves. On the same afternoon, Apr. 7, 1865, Sheridan struck the enemy farther back, capturing 16 pieces of artillery and 400 wagons, and held them in check until the arrival of the Second Corps, when a general attack was ordered, resulting in the capture of 6,000 or 7,000 prisoners.

Farnsworth, Hiram W., treaty with Indians concluded by, VI, 76, 212.**Farragut, David G.:**

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Fauchet, Mr., attempted seizure of, by commander of the *Africa*, VI, 143.**Faure, President**, death of, X, 142.**Fay, Theodore S.**, mentioned, IV, 352.**Federal Courts**, criminal procedure in, X, 826.**Federal Election Law** recommended, IX, 55, 127, 331.

Federalist, The.—A series of essays, 85 in number, in favor of the new Constitution of the United States, originally published in the *Independent Journal*, of New York, between Oct. 27, 1787, and Apr. 2, 1788. The authors were Alexander Hamilton (who wrote 51 of the essays), James Madison (who wrote 29), and John Jay (who wrote 5), who addressed the public over the common signature of "Publius." The purpose of the letters was to create in the minds of the people a sentiment favorable to the new Federal Constitution proposed by the Convention of Sept. 17, 1787. These essays were gathered into 2 volumes in 1788, and have been reprinted in many editions,

Federalist Party.—The first political party organized in the United States after the achievement of independence. Its leaders were Washington, Adams, Hamilton, Jay, Marshall, and others of high rank and ability. During the French Revolution the Federalists sympathized with England rather than with the Red Republicans of France. At this time Jefferson, Burr, and others organized the Republican party, whose distinctive features were to intensify the feeling of hostility toward England. They accused the Federalists of being enemies of the masses of the people and of favoring aristocratic government. The Federalists elected Washington and John Adams. Hamilton's financial measures had been acceptable to those who desired strong government—the commercial classes—and those who wished to see the Union drawn still more closely together in the direction of centralization and national consolidation. In 1797 the majority of the party favored war with France. The following year they passed the Alien and Sedition Laws (q. v.), and in 1800 their candidates, Adams and Pinckney, were defeated by Jefferson and Burr for President and Vice-President, respectively. The unpatriotic course of the party in the War of 1812 and the odium excited by the Hartford Convention (q. v.) destroyed it entirely.

Fee System, abolition of, as applicable to certain Federal officers discussed, IX, 729.

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Felonies, limitation upon right in felony cases to review by Supreme Court recommended, IX, 197, 448.

Fenians.—An organization of Irish-Americans and Irish revolutionists, whose object was the forcible separation of Ireland from Great Britain and the establishment of an Irish republic. The Fenian Brotherhood was founded in New York in 1857 by Michael Doheny, William R. Roberts, John O'Mahony, and Michael Corcoran, the last named being afterwards a brigadier-general in the United States Army. About the same time a similar organization, existing in Ireland under the name of the Phoenix Society, was developed by James Stephens, who came to the United States in 1858 and reported an enrollment of 35,000 disciplined followers in Ireland. O'Mahony was the first president of the American organization. Nov. 3, 1863, the first national congress of Fenians met in Chicago, representing an enrolled membership of 15,000, one-half of whom were in the Union Army. This convention declared Ireland to be an independent nation with James Stephens at its head. When the second Fenian congress assembled at Cincinnati in January, 1865, the circles had increased fivefold. The fourth Fenian congress met in New York Jan. 2, 1866, when an invasion of Canada was decided upon. Military operations were conducted by Gen. Thomas W. Sweeny, a former officer of the Union Army. In May, 1866, the United States authorities seized 750 stand of arms at Eastport, Me., about 1,200 stand at Rouses Point, N. Y., and 1,000 stand at St. Albans, Vt., all intended for the Fenian invasion of Canada. May 31, 1866, about 1,200 Fenians, under Col. O'Niell, crossed the Niagara River at Buffalo and occupied Fort Erie, whence they were driven 2 days later. On returning they were inter-

Fenians.—Continued.

cepted by United States forces and paroled under promise to go to their homes. Similar arrests were made on the Vermont line. United States troops under Gen. Meade kept close watch on the Canadian frontier. President Johnson issued a proclamation warning citizens of the United States against participation in the unlawful proceedings (VI, 433). The Fenian leaders were arrested, but afterwards released. Several outbreaks were suppressed in Ireland, and dissensions soon arose among the leaders of the movement. A second invasion of Canada was projected, but the vigilance of the United States authorities prevented its accomplishment. In April, 1867, the brig *Erin's Hope* sailed from New York with arms, ammunition, and officers for a brigade, but was unable to land and returned. During 1867 a number of Fenian riots occurred in Ireland, but all were quelled and many of the leaders were imprisoned or hanged. Many of the wrongs for which the Fenians sought redress have been corrected by legislation.

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Ferrocarriles de Porto Rice, Compaina de los, concessions to, X, 841, 842.

Ferrolana, The, American vessel attacked by, V, 336, 445.

Fever. (See Contagious Diseases; Yellow Fever.)

Fiat Money.—A term given to irredeemable paper currency during the greenback agitation following the Civil War in the United States. The Greenback party claimed that the fiat of the Government could itself give value to a circulating medium of no intrinsic value and not even containing a promise to pay, but issued by the State with the bare assertion of its identity with true money. The Latin word "fiat" means "Let it be done."

Field, Cyrus W., gold medal presented to, VI, 703.

Field, Stephen J., associate justice Supreme Court, assault upon by David S. Terry, IX, 42.

Fiat Products. (See Agricultural Products.)

"Fifty-four Forty or Fight."—A campaign cry of the Democrats in 1844. This was during the northwestern boundary discussion. The treaty with Spain in 1819 fixed the parallel of 42° as the northern limit of that country's possession in America. Between that parallel and 54° 40' lay the territory of Oregon, claimed by both America and England. To avoid clashes a joint occupation of the whole territory west of the Rocky Mountains was agreed upon in 1818, to last for 10 years. A new convention in the year 1827 decided to continue joint occupation indefinitely. This arrangement created much dissatisfaction; Americans had made surveys as far north as

49° and settlements were springing up. English fur traders had passed south of that line, and for a time seemed inevitable; but a treaty was arranged in 1846 fixing the boundary at lat. 49° north. It was during the Presidential campaign that the cry "Fifty-four Forty or Fight" originated. The supporters of Mr. Polk in that campaign vigorously proclaimed that the northwestern boundary line should be established as far north as 54° 40' or the United States should fight. It was during his Administration that the line was established at 49°. When criticised by his political opponents for the failure to locate the line at 54° 40' he excused and justified his administration by stating that "all conflicting title to the Oregon Territory south of the forty-ninth degree of north latitude, being all that was insisted on by any of my predecessors, has been adjusted" (IV, 634). (See also Northwestern Boundary.)

Fiji Islands, report of agent to, for investigation of claim of B. H. Henry and others, IX, 666.

Filibuster.—From the Spanish word *filibustero*, meaning "freebooter" or "buccaneer."

In 1849-1851 the term was applied by the Cubans to Narciso Lopez and his followers, and from that time became a common name for military adventurers who fitted out expeditions against the Spanish-American countries. The object of most of these filibusters has been to free the Spanish-American countries from their European rulers. After Lopez the most famous filibuster was Gen. William Walker, who invaded Sonora, Mexico, in 1853. In 1855 he took possession of Nicaragua and was elected President. He did not long enjoy this distinction, for he was soon compelled to surrender to the forces of the United States, but escaped punishment. In 1857 he organized a second expedition to Nicaragua, but was again compelled to surrender to the United States Government. Escaping punishment a second time, in 1860 he organized an expedition against the Government of Honduras, but was captured and by order of the President of Honduras shot. In the United States the term filibuster, when used in a legislative or political sense, means that method pursued by the members of the minority of a legislative body who seek to delay or defeat the adoption of measures obnoxious to them by obstructive and dilatory tactics, such as repeated motions to adjourn, for a recess, calls for the yeas and nays, or other dilatory motions.

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Finances, Superintendent of.—On Feb. 7, 1781, the Continental Congress passed an act establishing the office of Superintendent of Finance. Robert Morris was appointed to the position. Previous to this the Committee of Claims and the Treasury Office of Accounts were combined in what was called the Treasury Board, consisting of 5 members of Congress. This board expired with the appointment of Morris. He was authorized to examine into the state of the country's finances, report plans for improvement, direct the execution of orders respecting revenue and expenditure, and control the public accounts. Morris resigned in 1784 and the finances of the Government were placed under a board of 3 commissioners, where they continued until 1789, at which time, the First Congress established the present Treasury Department (q. v.).

Fincher, John D., act granting pension to, vetoed, VIII, 560.

Fine Arts, International Exhibition of, to be held at Munich, Bavaria, VIII, 608.

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Imposed upon Gen. Jackson, remission of, recommended, IV, 209.

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Fire Engines referred to, II, 80.

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Fiscal Bank of United States.—After the repeal of the subtreasury act in 1841, the Whig majority in Congress passed an act chartering the Fiscal Bank of the United States. This was vetoed by President Tyler. A bill was then passed chartering the Fiscal Corporation of the United States, which it was thought would meet his approval, but this also was vetoed.

Fiscal Bank of United States, act to incorporate subscribers to, vetoed, IV, 63.

Fiscal Corporation of United States, bill to incorporate, vetoed, IV, 68.

Fiscal Policy. (See Finances.)

Fiscal Year, change in termination of, IV, 264.

Recommended, III, 394.

Fish, Hamilton, Secretary of State, VII, 13.

Member of commission to settle questions with Great Britain, VII, 121.

Report of, on commercial relations with Spanish-American States, VII, 70.

Fish Commission.—In 1871 Congress established the Fish Commission, with headquarters in Washington City, and the following year the artificial propagation of fish was begun. It existed as an independent branch of the public service until the establishment of the Department of Commerce and Labor, in 1903, when it was placed under the jurisdiction of that Department, it being known as the Bureau of Fisheries. The head of the Bureau is known as a Commissioner. Besides the propagation of fish it is the duty of the Bureau to collect statistics of fish and fishing throughout the country. Prof. Spencer F. Baird was the first Commissioner and served until his death in 1887, when he was

succeeded by Dr. George Brown Goode. In 1888 Hon. Marshall McDonald succeeded Dr. Goode, who was succeeded in 1896 by John J. Brice, and who was in turn (1898) succeeded by the present incumbent, George M. Bowers. In 1904 the United States Government appropriated over \$800,000 for carrying on the work of the Bureau. The work of fish culture is carried on in twenty-six different states, and forty-nine stations and substations; and close relations are maintained between the Bureau and the fish authorities of the various states. In 1904 fish to the number of 1,267,343,025, in the form of fry, fingerlings, yearlings, adults and fertilized eggs were distributed, the waters in every state and territory of the union being thus enriched. In that year more than 2,500,000 eggs of various salmon species were presented to foreign countries. More than fifty species are regularly cultivated and distributed, and the artificial propagation of new species is being carried on. In rivers of the Atlantic seaboard, shad, salmon, striped bass, white perch and yellow perch have been planted; and quinnat salmon, blueback salmon, humpback salmon and steelhead salmon have been placed in the waters of the Pacific coast. The Great Lakes have been stocked with white fish, lake herring, lake trout and perch; interior lakes, ponds and streams have received landlocked salmon, rainbow trout, black spotted trout, brook trout, black bass, calico bass, etc.; and in the waters of the northeast coast the supply of cod, flat-fish, pollock and lobster has been increased.

Fish Lake Forest Reserve proclaimed, X, 742.

Fishbourn, Benjamin, naval officer at Savannah, Ga., reasons for nominating, I, 58.

Fisher, Harriet M., letter of Richard M. Boynton and, to Secretary of Navy transmitted, VI, 471.

Fisheries.—The right to catch fish on the high seas is open to all; but by international law, as the sea for a marine league is under the jurisdiction of the sovereign of the adjoining land, no one can fish in such waters without express permission given by law or treaty. After the Revolution the people of Canada disputed the right of citizens of the United States to fish off the banks of Labrador, Newfoundland, and the Gulf of St. Lawrence. By the treaty with Great Britain in 1783 citizens of the United States were given the right to take, cure, and dry fish on the coasts, bays, and creeks of any unsettled British possessions. Permission was also given them to take fish, without curing or drying them, on the coasts of Newfoundland. On the coasts, bays, and creeks of Nova Scotia, Magdalen Islands, and Labrador, after they should become settled, the right to take and cure fish was given only with the consent of the inhabitants or proprietors of the ground. American fishermen were not slow to take advantage of the opportunities provided by this treaty, and Canadian resentment became more pronounced. The War of 1812 dissolved this treaty, and in the treaty of Ghent (q. v.) in 1814, the question of fishery rights was not mentioned, thus virtually allowing the old rights to stand. In 1818 a convention of the United States and England decided that the citizens of the

Fisheries—Continued.

former should have the perpetual right to fish on the western and northern coasts of Newfoundland within certain limits, on the shores of the Magdalen Islands, and on those of Labrador from Mount Joly eastward and northward. The right of drying and curing fish on the western and southwestern coasts of Newfoundland and the coast of Labrador was granted so long as they remained unsettled, but afterwards only with the consent of the proprietors. This agreement, however, did not improve the situation on account of the various interpretations given to the "three-mile limit." Between 1854 and 1866 a reciprocity treaty, virtually between Canada and United States, permitted the citizens of the latter to fish in all the British possessions except Newfoundland, where the right was denied. From 1866 to 1871 the conditions of the treaty of 1818 prevailed. By the treaty of Washington in 1871 Canadian fishermen were permitted to take any fish except shell-fish, shad, and salmon in the waters of the United States as far south as lat. 39°, United States fishermen to have the same privilege in Canadian waters. The Canadians, however, insisted that the concessions to United States fishermen were far more valuable than those awarded themselves. As a result of this contention a joint commission was appointed to determine the excess of advantages enjoyed by the United States and the amount to be paid therefor. (See Halifax Commission.) June 30, 1885, the provisions of the treaty of Washington relating to fisheries ceased to be operative, after due notice by the United States. This abrogation revived the provisions of the convention of London, which were not satisfactory to either party. In May, 1886, the *David J. Adams*, a United States fishing schooner, was seized on the charge of having purchased bait on forbidden coasts. Several other seizures were made, causing great excitement in the United States and Canada. Mar. 3, 1887, Congress passed a retaliation act, providing that whenever the President shall be satisfied that our fishing vessels are illegally, unjustly, or vexatiously restricted or harassed in the exercise of their business or denied the privileges accorded to the vessels of the most favored nation in respect to touching or trading by the authorities of the British North American dominions he may by proclamation close our ports and waters against the vessels and products of all or any part of said British dominions. The President, instead of exercising this power, moved for a commission to amicably adjust the points of dispute under the convention of London. Thomas F. Bayard, William L. Putman, and James B. Angell were selected to represent the United States, and Joseph Chamberlain, Sir Lionel Sackville-West, and Sir Charles Tupper represented Great Britain. Feb. 15, 1888, a treaty was signed and immediately laid before the two Governments for ratification. Great Britain abandoned her claim that the 3-mile limit extended from headland to headland, and agreed that, except in cases specially mentioned of bays more than 10 miles wide the marine league should be measured outward from a line drawn across them, and also agreed that United States fishing vessels should have the same rights

in Canadian ports as Canadian vessels, except that the purchase of bait was forbidden. The treaty also contained a reciprocity clause. It was rejected by the Senate Aug. 21, 1888. Since that period good relations have been maintained by virtue of a *modus vivendi* terminable at will in 1890 Canada raised this *modus vivendi* to the States of a law of the Dominion. At a meeting of conferees of the two powers held at Washington in May, 1898, it was agreed to submit the question of the fisheries, among others, to a joint high commission. This commission assembled at Quebec in Aug. 1898, and adjourned to Washington in the winter following, but arrived at no agreement thereon. Since then the matter has been under consideration by the Secretary of State and the British Government. The annual average of the American fisheries amounts to a catch of some 2,168,945,000 pounds valued at nearly \$58,000,000.

Fisheries (see also Bering Sea Fisheries; Fortune Bay Outrages; Geneva Tribunal; Halifax Commission; Halifax, Nova Scotia):

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Outrages committed on American fishermen, VII, 590, 606.

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Fisheries Exhibition, International, at London, discussed, VIII, 101.

Fishermen, American:

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Outrages committed on, VII, 590, 606.

Unfriendly treatment of, by Canadians, VII, 58, 102; VIII, 529.

Vessels sent to protect, V, 158.

Fishers Hill (Va.), Battle of.—Early's retreat from the Opequan after the battle of Sept. 19, 1864, did not stop at Winchester, but continued to Fishers Hill, south of Winchester and about 12 miles from the scene of the battle of Opequan Creek. Here Early rallied his forces. To drive him from this position, Sheridan dispatched Torbert with 2 divisions of cavalry by a circuitous route to the Confederate rear, and on the evening of Sept. 22 the Sixth and Nineteenth corps engaged Early in front, while Torbert's forces fell upon his rear. The Confederates retreated and Sheridan followed them through Harrisonburg, Staunton, and the gaps in the Blue Ridge Mountains. Sheridan then devastated the valley so as to render it untenable for Confederate troops. At Fishers Hill he captured 1,100 prisoners and 16 guns.

Fishery, Commissions. (See Fisheries and Bering Sea Fisheries.)

Fitz, Gideon, surveyor-general, removal of, from office, discussed, III, 132.

Fitzmorris, Mary, act for relief of, vetoed, VIII, 688.

Fitzpatrick, Thomas, treaty with Indians concluded by, V, 229.

Fitzsimons, Thomas, commissioner of United States under treaty with Great Britain, I, 196.

Five-Cent Piece.—In 1792 Congress authorized the coinage of a silver half dime of 20.8 grains in weight. This was the first coin struck by the United States Mint. In 1853 the weight was reduced to 19.2 grains. There were no issues of this coin in 1793, 1799, 1804, and from 1806 to 1828. In 1866 the nickel 5-cent piece was authorized and the legal-tender value reduced from \$5 to 30 cents. Coinage of the silver half dime was discontinued in 1873.

Five Civilized Tribes:

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Five Forks (Va.), Battle of.—Mar. 27, 1865, Gen. Sheridan, with 10,000 cavalry, returned from his raid through the Shenandoah Valley and rejoined the Army of the Potomac before Richmond. On the 29th Grant began a movement to turn the Confederate right or destroy their line of retreat south. Sheridan, with the Fifth Corps, under Gen. Warren, and about 9,000 cavalry, crossed Hatchers Run and proceeded by way of the Boydton plank road toward Dinwiddie Court-House. Warren found the Confederates in force on the White Oak road. Sheridan, passing Dinwiddie, turned north. Lee had sent a strong force, chiefly the divisions of Johnson and Pickett, to meet the threat-

ened attempt on the roads to his rear. Mar. 31 this column met and defeated Warren and then attacked Sheridan at Five Forks and drove him back toward Dinwiddie. The next morning, Apr. 1, Sheridan advanced with his cavalry and the Fifth Corps, about 12,000 strong. By 2 p. m. the Confederates had retired into their main works. Ayres, on the left of the Fifth Corps, made a charge, carrying all before him and taking 1,000 prisoners; Griffin captured the works in his front, taking 1,500 prisoners; Crawford seized the Ford road in the Confederate rear; Merritt's cavalry made a charge, and the day was won, but not without a desperate resistance. Lee's army was virtually overwhelmed. For 6 miles it fell back along the White Oak road. More than 5,000 prisoners were taken, with 6 guns and 13 colors. Sheridan's loss was about 1,000, of whom 634 were of Warren's corps.

Flag.—A banner or ensign, sometimes called colors. During the early days of the Revolution the colonists made use of various devices for flags, no less than half a dozen distinct banners being preserved. In three of these the combined crosses of St. George and St. Andrew form the union. The favorite in New England was the pine-tree flag, consisting of a green pine tree in a field of white. This was also used as the union of a flag with a red field. The rattlesnake flag consisted of 13 pieces of a rattlesnake marked with the initials of the Colonies and the legend "Join or die." Another snake standard consisted of alternate red and white bars with the design of a snake and the legend "Don't tread on me." In 1775 Congress adopted the stripes of a troop of Philadelphia light-horse cavalry. This still retained the British union. June 14, 1777, the flag of the United States had its statutory beginning in the following resolution: "Resolved, That the flag of the United States be 13 stripes, alternate red and white; that the union be 13 stars, white in a blue field, representing a new constellation." The banner of the United States is commonly supposed to have been based upon the Washington coat-of-arms. It was first displayed in the battle of Brandywine, Sept. 11, 1777. On the admission of Vermont and Kentucky in 1794 2 more stars and 2 more stripes were added. Apr. 4, 1818, the flag was re-established with 13 stripes, representing the thirteen original States, and 20 stars, one star for each new State admitted, to be added to the flag on the 4th of July succeeding such admission. As the stars represent the States, there are now (1906) 45 stars on the flag; they are in a blue field arranged in six rows, the first, third and fifth rows having eight stars each, and the others having seven stars each. The United States Union Jack has forty-five stars in a blue field; the United States Narrow Pennant, for man-of-war, thirteen white stars in a blue ground next the staff, the remainder of the pennant being red and white; the President's flag has the United States Arms in a blue field; the flag of the Secretary of the Navy has a chain and anchor in a blue field, surrounded by four white stars; Admiral, United States Navy, four white stars in a blue ground; Vice-Admiral, three white stars in a blue ground; Rear-Admiral, two white stars in

Flag—Continued.

a blue ground; United States Naval Dispatch, five blue crosses potent in a white ground, one in each corner and one in the center; United States Naval Convoy, white triangular flag, two free sides having red border; United States Revenue Service, sixteen triangular, alternating red and white stripes, the upper quarter next staff, having in white ground a blue eagle between semi-circle of thirteen blue stars; United States Lighthouse Service, triangular flag with blue lighthouse in white ground, all sides of the flag having red border; Quarantine flag, plain yellow; United States Yacht Ensign, thirteen horizontal alternating red and white stripes with anchor and chain surrounded by thirteen white stars in blue ground, in upper left-hand corner next staff.

Flager, Daniel W., mentioned, VIII, 151.

Flags:

Confederate, captured, to be presented to Congress, VI, 108.

Union and Confederate, return of, to respective States recommended, VIII, 578.

Proposition withdrawn, VIII, 579.

Flanagan, John, mentioned, IV, 365.

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Flathead Indians:

Agreement with, for sale of lands, VIII, 153, 192.

Treaty with, V, 380.

Fleming, Charles, lieutenant in Navy, court of inquiry in case of, referred to, VI, 74.

Fletcher, Thomas C., mentioned, IX, 231.

Flogging.—A chastisement by beating or whipping. It was a punishment inflicted in the United States Navy until 1850, when it was abolished. In 1861 it was prohibited in the Army.

Florida.—One of the United States; nickname, "The Everglade State;" motto, "In God We Trust." It lies between lat. 31° and 24° 30' north and long. 79° 48' and 87° 38' west. It is bounded on the north by Georgia and Alabama, on the east by the Atlantic Ocean, on the south by Florida Strait and the Gulf of Mexico, and on the west by the Gulf of Mexico and Alabama (separated from the latter by the Perdido River). The manufacture of tobacco is the most important industry and the port of Tampa imports more leaf tobacco than any other port in the country. Next in rank are the agricultural products, the tropical and sub-tropical fruits, cotton, corn, rice and tobacco. Other important industries include the manufacture of lumber and timber products, phosphate mining and the manufacture of fertilizers. It is a favorite health resort for winter tourists. Florida was discovered by Juan Ponce de Leon on Easter Sunday in 1513. It was named, some say, from the profusion of flowers in bloom at the time of its discovery; others, from the day of its discovery, which in Spanish is called Pascua florida, or Flowery Easter. Expeditions fitted out at Cuba and Puerto Rico by Spaniards made futile attempts at settlement between 1516 and 1540. The French Admiral De Coligny sent 3 colonies of Huguenots from France to settle the country, but they were massacred by the Spaniards, and in 1565 St. Augustine was permanently established by the Spanish under Menendez. The territory was ceded

to Great Britain in 1763 and returned to Spain in 1783. In February, 1810, East and West Florida were ceded to the United States, Spain receiving therefor \$5,000,000. The territory was the scene of the Seminole wars. It was admitted to the Union in 1845, seceded Jan. 10, 1861, and was readmitted by act of Congress June 25, 1868. The present constitution was adopted in the latter year. Area, 58,680 sq. miles; population (1905), 625,000, of which 43 per cent. are negroes.

Florida (see also Confederate States):

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Discussed, II, 55, 103, 363. (See also II, 390, 466.)

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Contravention of treaty regarding, discussed, II, 103.

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Army in, called into action only on written requisition of officers of Territory, II, 127.

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Boundary line with Georgia discussed, II, 329, 395, 561; III, 41.

Canal routes in, survey of, III, 35.

Cedar Keys, interference with collector of customs at, IX, 72.

Change of possession of, from Spain to other power objected to, I, 488. (See also Monroe Doctrine.)

Claims arising out of invasion of. (See East Florida Claims.)

Constitution of, transmitted, VI, 634.

Courts of United States in, obstructions to execution of process of, IX, 104.

Depredations of Indians, III, 428; IV, 154, 199.

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Removal of, discussed, V, 45, 171, 184. (See also Indians, removal of.)

Indian Wars in (see also Indian Wars)—

Brevet nominations for army officers for services in, IV, 155.

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Disposition of Indians to treat for peace, III, 430.

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- Lands granted to, in aid of railroads referred to, VI, 382.
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 - Resolutions of, referred to, IV, 220.
- Maj. Gen. Jackson's entrance into, discussed, II, 42.
- Courts-martial of Arbuthnot and Ambrister [Ambrister] referred to, II, 43.
- Idea of hostility toward Spain not entertained, II, 43.
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- Orders to Gen. Matthews, Col. McKee, and Governor Mitchell, regarding possession of, I, 506.
- Possession of, transferred from Spain to another power objected to, I, 488.
- Power to use certain funds for the purchase of lands for Indians in, VIII, 612.
- Progress in, checked by malady at Pensacola, II, 100.
- Property owners in, should be compensated for losses sustained, III, 255.
- Provisional governor for, appointed and restoration of, into Union discussed, VI, 320.
- Railroads, lands for, VI, 382.
- Smuggling practiced by citizens of. (See Smuggling.)
- Spanish authority in, almost extinct, II, 31, 40.
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- Territorial government established in, II, 187.
- Laws of, referred to, II, 197.
- Territorial judges in, authority of, to act as Federal judges referred to, IV, 418.
- Transmission of Constitution of, VI, 634.
- Unlawful combinations in, II, 40.
- Florida, The.**—A Confederate cruiser fitted out in England under the name of the *Oreto*. For 2 years she did much damage to the Union cause. After having been twice seized and having twice escaped from the Federal cruisers, her name was changed to *Florida*. Oct. 7, 1864, in the harbor of Bahia, Brazil, in violation of the rights of neutrals and under the guns of a Brazilian corvette, she was captured by the *Wachusett* (sister ship to the *Kearsarge*), commanded by Capt. Napoleon Collins. Subsequently she was taken to Hampton Roads and sunk in a collision.
- Florists, Society of American**, act incorporating, vetoed, IX, 578.
- Flour**, duty on, referred to, II, 552.
- Floyd, John B.**:
 - Letter of, regarding appointment of A. W. Reynolds, V, 465.
 - Secretary of War, appointment and resignation of, discussed, V, 659.
- Foley, Bridget**, act granting pension to, vetoed, VIII, 692.
- Folger, Charles J.**, Secretary of Treasury, death of, announced and honors to be paid memory of, VIII, 234.

Fonseca, Manuel D., President of Brazil, mentioned, IX, 182.

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Foote, Andrew H.:

Thanks of Congress to, recommended, VI, 82.

Thanks of President tendered, VI, 104.

Forbes, Duncan, act to increase pension of, vetoed, VIII, 480.

Force Bill.—Several bills introduced into Congress have been given this name. When the South Carolina nullifiers attempted to prevent the execution of the tariff act of 1828, it became necessary to enact special laws for carrying out its provisions and to enforce collections under it. Mar. 2, 1833, the "Force bill" or "Bloody bill" was enacted for this purpose. The trouble was adjusted later by a compromise. A bill to enforce the fourteenth and fifteenth amendments, which passed Congress May 31, 1870, was also known as the "Force bill," as was an act passed the following year on the same subject. (See Ku-Klux-Klan.) The name was applied later by many persons to the election bill which was introduced in the House by Mr. Lodge, of Massachusetts, during the Fifty-first Congress, "to amend and supplement the election laws of the United States and to provide for their more efficient enforcement." This bill was passed by the House, but was defeated in the Senate.

Force Bill. (See Federal Election Law.)

Ford, Mrs. Evelyn M., mentioned, XI, 1128.

Ford, Henry, railroad concession to, X, 548.

Forefathers' Day.—The anniversary of the landing of the Pilgrim Fathers at Plymouth, Mass., December 21, 1620. They touched shore on Monday, December 11, old-style calendar. In December, 1769, the Old Colony Club was formed by 7 citizens of Plymouth to celebrate the "landing of our worthy ancestors in this place." In order to accommodate the date to the new-style or Gregorian calendar, the Old Colony Club, thinking that December 22 new style corresponded to December 11 old style established the anniversary on December 22 instead of December 21. New England societies have been established in many States of the Union and the celebration of Forefathers' Day is becoming more general. The celebrations are held in December, the date of the preliminary landing, rather than in the January following, when the landing for settlement took place.

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Expenses incurred in, not provided for by law, referred to, I, 116.

Report on, transmitted, VIII, 615.

Foreign Affairs, Secretary of.—Jan. 10, 1781, the Continental Congress created the office of Secretary of Foreign Affairs at the solicitation of representatives in other countries. Robert R. Livingston, of New York, was the first incumbent of the office. His duties also comprehended the adjustment of affairs between States. The scope of the office was much enlarged by reorganization in 1782. John Jay occupied the position between 1784 and 1789. July 27, 1789, the two Departments of Home (q. v.) and Foreign Affairs were combined in the Department of State. (See also State, Dept. of.)

Foreign Coins:

- Assay of, referred to, II, 369.
- Ceased to be legal tender, proclaimed, I, 249.
- Counterfeiting of, should be made a crime, II, 573; III, 49.
- Overvaluation of gold in, referred to, III, 628.
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- Spanish milled dollars legal tender, I, 249.
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- Value of Alfonsino and Louis fixed by order, X, 391.

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- Germany, IX, 258.
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- Guatemala, IX, 281.
- Honduras, IX, 279.
- Nicaragua, IX, 263.
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- Santo Domingo, IX, 152.
- Spain. (See *Cuba and Puerto Rico, ante.*)

- Vessels refused clearance by Haiti discussed, IX, 437.

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- Reduction in, discussed, VII, 402.
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 - Funds on deposit with Baring Brothers & Co. for, referred to, VI, 630.
 - Public interests demand that confidential items be not published, IV, 431.
- Funds on deposit with Baring Brothers & Co., VI, 630.
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Foreign Mails, transmission of, through United States referred to, IV, 322. (See also *Postal Service.*)**Foreign Ministers.** (See *Ministers.*)**Foreign Paupers:**

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- Legislation respecting, recommended, VIII, 170.

- Request of President to withdraw articles regarding, from consideration of House, III, 475.

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- Adams, J. Q., II, 296, 302, 318, 329, 337, 356, 384.
- Buchanan, V, 435, 467, 506, 510, 535, 558, 561, 642, 646.
- Cleveland, VIII, 327; IX, 435, 439, 441, 460, 523, 531, 632, 636, 655, 716.
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- Grant, VII, 31, 52, 61, 64, 96, 99, 128, 147, 180, 222, 238, 291, 336, 411.
- Harrison, Benj., IX, 10, 183, 315, 348.
- Harrison, W. H., IV, 18.
- Hayes, VII, 466, 468.
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- Plans for, to be formulated by commission, IX, 735.

Forests. (See *Lands, Timber.*)**Formosa Island**, ship's company of American bark *Rover* murdered by inhabitants of, VI, 631.**Forsyth, John**, Secretary of State:

- Correspondence regarding—
 - Canadian outrages, III, 401.
 - Claims against France. (See *France, claims against.*)
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- Letter of, regarding treaty with France, III, 126.

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Fort Berthold Reservation, N. Dak.:

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Allotment of lands in severalty to Indians on, referred to, VIII, 196.

Portion of, opened to settlement, proclaimed, IX, 144.

Fort Bliss, Tex.:

Title of United States to, referred to, VIII, 78, 149.

Troops ordered to, referred to, VIII, 406.

Fort Bridger, Idaho, treaty of, X, 475.

Fort Brown (Tex.), Attack on.—In consequence of the annexation of Texas the War Department, apprehending trouble with Mexico, sent all the available troops in the South and West to the frontier. The territory between the Nueces and Rio Grande rivers was claimed by both Texas and Mexico. Gen. Zachary Taylor collected an army of 4,000 men at Corpus Christi, near the mouth of the Nueces, in November, 1845. Jan. 13, 1846, he was ordered to advance to a position on the Rio Grande, and on Mar. 25 he occupied Point Isabel, on the coast of the Gulf of Mexico, just north of the mouth of the river. During April Gen. Taylor had advanced his army up the Rio Grande to a point opposite Matamoros, which was occupied by the Mexican army under Gen. Arista. Here the Americans built a fort under the direction of Maj. Brown and named it in his honor. Learning that bodies of Mexicans had crossed the river both above and below him with the intention of cutting him off from his supplies at Point Isabel, Taylor fell back toward the latter place May 1. Learning of his departure, the Mexicans on May 3 began a heavy bombardment of Fort Brown, which was continued at intervals until the 10th. It was gallantly defended by Maj. Brown and Captains Hawkins and Mansfield. The former was killed during the engagement. The only other fatality was that of Sergt. Weigert. Thirteen privates were wounded.

Fort Cameron Reservation, Utah, disposal of, recommended, VIII, 153.

Fort Delaware, Del., title to island on which it stands referred to, II, 536, 562.

Fort Dodge Military Reservation, Iowa, disposal of, referred to, VIII, 103.

Fort Donelson (Tenn.), Capture of.—After the taking of Fort Henry the next logical move against the Confederate line of defense in the West was the reduction of Fort Donelson. This was a large fieldwork of 100 acres, on a bluff 100 feet high, near the town of Dover, Tenn., on the Cumberland River, about 63 miles from Nashville. It mounted 65 guns and was garrisoned by 21,000 men under Gen. Floyd. Feb. 12, 1862, Brig. Gen. Grant with 15,000 men moved upon the works by way of the roads leading from Fort Henry. While Grant was placing his forces in position Commodore Foote arrived in the river opposite the fort with a fleet of 6 gunboats, 4 of them ironclad. On the 14th he opened fire. In a desperate attack 2 of the vessels were disabled and the others withdrew after a loss of 54 men. The guns on the bluff were too high to be silenced from the water level. On the day of the unsuccessful attack by the

gunboats Gen. Wallace arrived with reinforcements, swelling Grant's command to 27,000. On the 15th Floyd made an attempt to force his way through the surrounding Federal lines. Fighting continued all day during most intensely cold weather. When night fell upon Donelson the Confederates retired to their works. During the night Floyd surrendered the command to Pillow and he to Buckner. The two former escaped by way of the river during the night, and next morning Buckner surrendered the fort unconditionally to Grant. Sixty-five guns, 17,600 small arms, and 14,623 prisoners fell into the hands of the victors. Grant's losses were 2,832 in killed, wounded, and missing. The Confederates lost 2,500 in killed and wounded.

Fort Erie (Canada), Battles at.—June 1, 1814, Maj. Gen. Brown established headquarters at Buffalo with the intention of retaking the lower peninsula of Canada. His army consisted of 2 brigades of infantry, commanded by Generals Scott and Ripley, respectively, and to each were added a train of artillery and a squad of cavalry. There was also a brigade of 1,100 New York and Pennsylvania volunteers and 500 Indians. July 3 the American army crossed the Niagara and demanded the surrender of Fort Erie, the first British post on the Canada side. Maj. Buck, with the garrison of 170 men, yielded without a struggle. Aug. 5 Gen. Gaines arrived at Fort Erie to take command of the American army of 2,500, which had retired to the southward after the battle of Lundys Lane. Here he was besieged by Lieut. Col. Drummond with 5,000 men. The latter subjected the fort to a heavy bombardment all day Aug. 14, and on the 15th, between midnight and dawn, made a series of desperate assaults, showing no quarter to Americans who fell into their power. The British were driven off, with a loss of 221 killed, 174 wounded, and 186 prisoners. The American loss was 17 killed, 56 wounded, and 11 missing. After this repulse the British kept up a constant bombardment of the fort for several weeks. Gen. Gaines was seriously injured, and Gen. Brown resumed command, though in ill health and suffering from wounds received at Lundys Lane. Sept. 17 a sortie was made by about 1,000 regulars and the same number of militia upon the British outposts, and all their batteries were captured or destroyed. This saved Buffalo and perhaps all of western New York and seriously crippled the enemy. The loss to the British during the sortie was 500 killed, wounded, and missing, and 385 prisoners. The American loss was 79 killed and 216 wounded. After this disaster Drummond retired precipitately and the Americans abandoned and destroyed Fort Erie.

Fort Erie, Canada, reduction of, by American arms, I, 539.

Fort Fisher (N. C.), Capture of.—In November, 1864, an expedition was planned against Fort Fisher, N. C. This fort occupies a peninsula on the south coast of North Carolina, between the mouth of the Cape Fear River and the Atlantic Ocean, about 18 miles from Wilmington. It formed the principal defense of that city, which was the most important seaport through which the Southern Confederacy received foreign supplies, and from which departed blockade runners laden

Fort Fisher (N. C.), Capture of—Continued.

with cotton and other products of the South. It was also deemed a point of considerable strategic importance. Fort Fisher and its connected works mounted 75 guns. The armament of the works guarding the approaches to Wilmington was about 150 guns, including some 150-pounder Armstrong guns. The garrison of the fort and outworks consisted of 2,300 men. Dec. 13, 1864, the expedition started. It was composed of a fleet of 73 vessels, carrying 655 guns, some of them of the largest caliber, and a land force of 6,500 men under Gen. Butler. The expedition was accompanied by a boat loaded with 215 tons of gunpowder, which it was designed to explode in the vicinity of the fort, with the object of igniting and exploding the magazines. This proved a failure. Dec. 24 the fort was bombarded by the fleet for an hour and a half. The next day, after a reconnaissance by the land troops, Butler ordered their reembarkation and return. Butler was relieved of the command and superseded by Gen. Terry, with the addition of 1,500 men and a small siege train. Jan. 13, 1865, the fort was again attacked. The troops were landed under protection of Porter's guns. On the 14th a small advance work was taken by the Federals. The ships reopened fire on the 15th. At 3 p. m. a general assault was made, and for 5 hours a desperate hand-to-hand encounter was maintained. Not until 10 p. m. was resistance ended and the garrison forced to surrender. Two thousand and eighty-three prisoners were taken, including Gen. Whiting and Col. Lamb. The Federal loss was 110 killed and 530 wounded. The Confederate loss in killed and wounded was about 500. The next morning by the accidental explosion of a magazine 200 men were killed and 100 wounded.

Fort Gaines (Ala.), Reduction of. (See Mobile Bay (Ala.), Battle of.)

Fort Gaines, Ala., reduction of, and orders regarding celebration of, VI, 238.

Fort George (Canada), Capture of.—After the occupation of Toronto, Apr. 27, 1813, the Americans turned their attention to the British forts along the Niagara River. On the west side of the river and near its mouth stood Fort George, which was held by about 1,800 regulars, 350 militia, and 50 Indians, under Brig. Gen. Vincent and Colonels Harvey and Meyers. Nearly opposite Fort George was the American Fort Niagara, in and about which had been collected some 4,000 troops under command of Gen. Dearborn. Acting under him were Maj. Gen. Morgan Lewis, Generals Boyd, Winder, and Chandler, and Col. Winfield Scott. May 27, 1813, an attack was made on Fort George. The army was transported to the Canadian soil by the fleet under Commodore Chauncey and Capt. Perry. After a severe battle of 20 minutes the British fled in confusion toward Beaver Dams, 18 miles distant, to rendezvous. At the end of 3 hours Fort George and its dependencies, with the village of Newark, were in the hands of the Americans. Their loss was about 40 killed and 100 wounded. The loss of the British regulars was 51 killed and 305 wounded, missing, and prisoners. The number of Canadian militia made prisoners was 507, making

the total British loss 863, as well as large quantities of ammunition and stores. July 8, 1813, a party of 40 Americans under Lieut. Eldridge, in attempting to drive off a small detachment of British and Indians who had approached to within a couple of miles of Fort George, were ambushed by Indians under Blackbird, and only 10 of the party escaped. The wounded and prisoners were massacred.

Fort George, Canada, reduction of, by American arms, I, 539.

Fort Griswold (Conn.), Capture of.—Sept. 6, 1781, after Arnold and the Tories had secured New London, they carried by assault Fort Griswold, on the opposite side of the river. The Americans offered a stubborn resistance. Out of the garrison of 150 men 73 were killed, including Col. Ledyard, the commander, and 30 were wounded, many after having surrendered.

Fort Hall Reservation, Idaho, agreement with Indians for disposal of lands on, for use of railroad, VIII, 68, 192, 602.

Opened to settlement, X, 475, 715, 717.

Fort Harrison (Ind.), Attack on.—Capt. (afterwards General and President) Zachary Taylor Sept. 4, 1812, held, until reinforcements reached him, a blockhouse on the Wabash River, Ind., with a garrison of 50 men, ill or convalescing from fever, against a fierce assault of Indians. The savages set fire to the blockhouse. Taylor's loss was 3 killed and 3 wounded.

Fort Henry (Tenn.), Capture of.—The main line of Confederate defense in the West in January, 1862, extended from Columbus, Ky., on the Mississippi River, to the Cumberland Mountains, in eastern Tennessee. On this line of defense were Forts Henry and Donelson, in the northern part of Tennessee, the former on the eastern bank of the Tennessee River and the latter on the western bank of the Cumberland, about 12 miles apart, Gen. Halleck, commander of the Department of Missouri, determined to make an attack on Fort Henry, which was near the center of the line. Jan. 30 an expedition was sent out from Cairo, consisting of 7 gunboats, 4 of them ironclad, under command of Commodore Foote, and a land force of 15,000 men commanded by Brig. Gen. Grant. On the night of Feb. 5 the infantry were landed 4 miles from the fort. The gunboats anchored abreast till 10 o'clock next morning, when they began to advance. Fort Henry mounted 17 guns and was garrisoned by 2,734 men, under command of Brig. Gen. Tilghman. The attack was to have been made by the gunboats, seconded by the land forces. Foote began the bombardment before the arrival of Gen. Grant, whose march was delayed by muddy roads and swollen streams. Tilghman answered the fire of the gunboats for 1 hour and 20 minutes and then surrendered unconditionally, the greater part of his garrison having already escaped to Fort Donelson. Grant arrived half an hour after the battle, and the fort was turned over to him. The part of the garrison that surrendered consisted of about 65 able-bodied men and 60 invalids. Tilghman's loss was 21 killed and wounded. The Federal loss was 48.

Fort Henry, Tenn., thanks of President to forces capturing, VI, 104.

- Fort Jackson, Ala.,** treaty with Indians concluded at, 11, 320.
- Fort Leavenworth, Kans.:**
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- Fort Lewis, Colo.** estimates for post at, VIII, 90.
- Fort McAllister (Ga.), Capture of, and Fall of Savannah.**—After the destruction of Atlanta and its railroad connections Gen. Sherman took up his march toward Savannah. His army was composed of the Fourteenth, Fifteenth, Seventeenth, and Twentieth corps. Gen. Howard commanded the right wing and Gen. Slocum the left. The cavalry was under the direction of Gen. Kilpatrick. Sherman passed down the peninsula between the Ogeechee and Savannah rivers and about the middle of December appeared before Savannah, held by the Confederate General Hardee with 15,000 men. To the south of Savannah, on the Ogeechee River, stands Fort McAllister, which had resisted many attacks from the sea and effectually prevented the ascent of the river by the Federal gunboats. The defenses of the fort were weak to the landward and a garrison of less than 300 men held the works. Fort McAllister mounted 23 guns in barbette and 1 mortar. Dec. 13, 1864, Gen. Hazen's division of the Fifteenth Corps crossed the river and assaulted the fort from the rear. The garrison was overpowered and in 15 minutes after the bugle sounded "Forward" the fort was taken. Communication was now open to Dahlgren's fleet, lying in the harbor. Siege guns were brought from Hilton Head, and when the investment of Savannah was completed Sherman demanded its surrender. Hardee refused, but on the night of Dec. 20, when all the arrangements for the assault had been completed, he evacuated the city. It was occupied next day by Sherman's army. Two hundred guns and 35,000 bales of cotton fell into Federal hands. Thus ended Sherman's march from Atlanta to the sea, a distance of more than 300 miles. Out of the entire army of 66,000 men 63 were killed, 245 were wounded, and 260 were captured on the march, which consumed 27 days.
- Fort McHenry (Md.), Bombardment of.**—In September, 1814, the British planned to take Baltimore by a combined land and sea attack. The night after the battle of North Point the British remained on the field. The following morning, Sept. 13, 1814, the British fleet, consisting of 16 heavy vessels, 5 of them bomb ships, began the attack on Fort McHenry, 3 miles southeast of the city. The fort was defended by Maj. Armistead with about 800 men. The bombardment continued 25 hours. The American loss was 4 killed and 24 wounded. It was during this bombardment that Francis Scott Key wrote *The Star-Spangled Banner*. The British withdrew after losing 2 vessels and a large number of men.
- Fort Mackinaw (Mich.), Capture of.**—The War of 1812 was proclaimed June 19 (I, 512). The British in Canada learned of it sooner than their adversaries across the lakes. July 17 a force of 600 British and Indians under Capt. Roberts surprised and captured the garrison of 61 officers and men under Lieut. Hanks at Fort Michilimackinac, or Mackinaw. An attempt to recapture it in 1814 was unsuccessful.
- Fort Mackinaw, Mich.,** attempted reduction of, referred to, I, 549.
- Fort McKinney, Wyo.,** estimates for completion of post at, VIII, 93.
- Fort Madison (Iowa), Defense of.**—Sept. 5, 1812, about 200 Winnebago Indians attacked Fort Madison, on the Mississippi River above St. Louis, and were repulsed after 3 days' fighting. The garrison consisted of a small detachment under Lieutenants Hamilton and Vasques. The Americans lost 1 man.
- Fort Maginnis, Mont.,** estimates for post at, VIII, 100.
- Fort Malden, Canada,** reduction of, by American arms, I, 539.
- Fort Marcy, Military Reservation,** disposed of, X, 726, 738.
- Fort Meigs (Ohio), Bombardment of.**—In April, 1813, Col. Proctor, with a force of 1,000 British regulars and Canada militia and 1,500 Indians, set out on an expedition against Fort Meigs, on the Maumee River, about 12 miles from its mouth. Gen. Harrison was there with about 1,100 effective men. May 1 the British, having erected batteries at Maumee City, opposite the fort, opened fire, which they kept up for 5 days with slight injury to fort or garrison. Meantime Harrison was reinforced by Gen. Clay and 1,100 Kentuckians. Eight hundred of these, under Col. Dudley, were detached with orders to attack the British rear. They were successful at first, but instead of obeying the order to return they pursued the flying foe into the woods and fell into an Indian ambush. Of the 800 in Dudley's command only 170 escaped. After the fruitless bombardment, the Indians deserting Proctor, he abandoned the expedition.
- Fort Meigs, Ohio,** British attack on, repulsed, I, 539.
- Fort Mercer (N. J.), Attack on.**—Though the British forces under Gen. Howe had occupied Philadelphia in September, 1777, Washington's army in the immediate vicinity controlled the navigation of the Delaware and Schuylkill rivers. Just below the mouth of the latter stream, and on the opposite side of the Delaware, at Red Bank, N. J., was Fort Mercer, in command of Col. Greene, with a force of about 400 men. Admiral Lord Howe having arrived at Newcastle with his fleet early in October, the necessity of opening the river to British navigation became urgent. Oct. 22, an attack was made on Fort Mercer by the British ships and some 1,200 Hessian troops. The assailants were repulsed with a loss of 400. One of the ships grounded and 2 others were burned. The American casualties were 35.
- Fort Mifflin (Pa.), Attack on.**—One of the principal defenses of the Delaware River after the occupation of Philadelphia in September, 1777, was Fort Mifflin, just below the mouth of the Schuylkill. On the arrival of Admiral Howe with his fleet off Newcastle, Del., early in October, it became necessary to open the river to British navigation. Fort Mifflin was in command of Lieut. Col. Smith, of Baltimore, with a garrison of about 400 men. Failing disastrously at Fort Mercer,

Fort Mifflin (Pa.), Attack on.—Continued.

the British turned to Fort Mifflin. A combined attack by the land and water batteries, begun on the 10th, resulted in the retreat of the American garrison to Fort Mercer on the night of Nov. 15, 1777, with the loss of 250 men. The next day the Royal Guards occupied the works. The British loss was 37.

Fort Mims (Ala.) Massacre.—In the summer of 1813 the inhabitants of Alabama, frightened by the hostile actions of the Creek Indians, took refuge at Fort Mims, near Montgomery, Ala., 10 miles above the junction of the Tombigbee and Alabama rivers. The place was garrisoned by 16 regulars and about 240 volunteers. At noon Aug. 30, 1813, about 1,000 Indians under Weathersford and the prophet Francis surprised the fort. Of the 550 persons (more than 300 of whom were women and children) who at the time were at Fort Mims, 400 were massacred, including all the women and children. The whites resisted desperately. The negroes were made slaves to the Indians. Twelve men of the garrison escaped into the swamp.

Fort Morgan (Ala.), Reduction of. (See Mobile Bay (Ala.), Battle of.)

Fort Morgan, Ala., reduction of, and orders regarding celebration of, VI, 238.

Fort Moultrie, Charleston (S. C.), Defense of.—In 1776 Clinton was charged with holding the Southern Colonies, and Cornwallis was sent to his aid with troops under convoy of Sir Peter Parker's fleet. Charles Lee commanded the Americans in the vicinity of Charleston. William Moultrie was in charge of a little fort of palmetto logs on Sullivan's Island, S. C. June 4 the hostile fleet appeared and on the 28th bombarded Fort Moultrie. Clinton's troops had already landed on Long Island. The Americans fired with precision and effect, and 1 ship was abandoned. Clinton's forces failed to attack, and in a few days the British withdrew. The American loss was 12 killed and 24 wounded. The British loss was 205, and only 1 of their 10 vessels remained seaworthy. An incident of this battle was the replacing by Sergt. Jasper of a flag which had been shot from the bastion. This fort was abandoned by the Federals under Maj. Robert Anderson Dec. 26, 1860, and was seized by the Confederates, who served a battery from it during the bombardment of Fort Sumter, Apr. 12-14, 1861.

Fort Myer, Va., meteorological observatory at, establishment of, recommended, VIII, 205.

Fort Niagara (N. Y.), Bombardment of.—Nov. 21, 1812, Fort Niagara sustained a severe bombardment at the hands of the British artillery at Forts George and Newark, on the Canadian side of the Niagara River. The Americans returned the fire and silenced the batteries of the enemy. The loss to the Americans was 9; British loss not known.

Fort Omaha Military Reservation, Nebr., act to provide for lease of, to Nebraska, vetoed, IX, 687.

Fort Pillow (Tenn.), Capture of.—This fort was located on the Chickasaw Bluff, in the Mississippi River, 40 miles above Memphis. It was built by the Confederates during the Civil War. It was occupied by the Federal troops June 5, 1862, its evacuation having

been compelled by the destruction of the Confederate flotilla on the previous day. The Federal forces not long afterwards abandoned it in consequence of operations on the Tennessee River. Apr. 12, 1864, the fort was garrisoned by 19 officers and 538 men of the Union Army, about one-half of whom were negro troops. On that day Gen. Forrest with Confederate cavalry assaulted and captured it.

Fort Polk, Tex., removal of, referred to, V, 67.

Fort Powell, (Ala.), Reduction of. (See Mobile Bay (Ala.), Battle of.)

Fort Powell, Ala., reduction of, and orders regarding celebration of, VI, 238.

Fort Preble Military Reservation, Me., additional land for, recommended, VIII, 190.

Fort Riley, Kans., bridge over Republican River at, reconstruction of, recommended, VIII, 190.

Fort Ripley Military Reservation, Minn., Indian school at, establishment of, referred to, VIII, 96.

Fort St. Philip (La.), Bombardment of.—Jan. 9, 1815, while the British were burying their dead before New Orleans, a portion of the fleet attacked without success Fort St. Philip, at a bend in the Mississippi 65 miles below the city. It contained a garrison of 366 men under Maj. Overton. The bombardment was continued for 5 days. Two Americans were killed and 7 wounded.

Fort Selden, N. Mex., estimates for post at, referred to, VIII, 83.

Fort Sherman Military Reservation, disposition of, X, 845, 884.

Fort Sill Indian Sub-Agency, referred to, X, 514.

Fort Smith, Paris and Dardanelle Railway, act granting right of way to, etc., vetoed, VIII, 693.

Fort Stedman (Va.), Assault on.—When, in March, 1865, it became apparent to Lee that he must evacuate Richmond, he planned an assault on Fort Stedman, on Grant's right. During the assault Longstreet and Hill were to retire to the south, followed by the assaulting column, and join Johnston. The assault took place Mar. 25. The batteries were carried and 500 prisoners captured. The Confederates were gathered in the works they had taken. Mar. 27 the surrounding artillery of the Union army was brought to bear on the position, and 1,900 of the Confederates surrendered. The Federal loss was 919.

Fort Stephenson (Ohio), Attack on.—In July, 1813, Maj. Croghan was sent with 160 men to garrison Fort Stephenson, or Lower Sandusky, now Fremont, Ohio, about 20 miles from Sandusky Bay. Here he was attacked Aug. 1, 1813, by Gen. Proctor, with 400 British regulars and several hundred Indians, while Tecumseh, with 2,000 Indians, held the roads leading to the fort, so as to cut off reinforcements. The firing was maintained all night from Proctor's gunboats and from howitzers landed by the British. Aug. 2 a general assault was made, which the garrison repulsed with the loss of 1 man killed and 7 slightly wounded. The British loss was 120. The Indians kept out of harm's way.

Fort Sullivan, Me., legislation to authorize sale of post at, recommended, VIII, 196.

- Fort Sumter (S. C.) Fired on.**—At 3.30 o'clock on the morning of Apr. 12, 1861, Gen. Beauregard, in command of the Confederate troops in and around Charleston, S. C., demanded the surrender of Fort Sumter, in Charleston Harbor, about $3\frac{1}{2}$ miles from the city. The fort was garrisoned by Maj. Anderson with 70 men. Beauregard had a force of 7,000 men. Anderson having refused to surrender, at 4.30 a. m. the bombardment was begun. The firing was kept up until dark and renewed on the morning of the 13th. Buildings in the fort were several times set on fire. Anderson was only able to return a feeble fire, and it was impossible to furnish him with the number of reinforcements necessary to hold the fort. Accordingly, on Apr. 14 he evacuated the works, lowering the flag with a salute, and with the garrison sailed north. This was the first conflict of the Civil War. There were no casualties on either side.
- Fort Sumter, S. C.,** assault upon, and reduction of, discussed, VI, 21, 77.
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- Fort Thornburg, Utah,** estimates for construction of post at, referred to, VIII, 83.
- Fort Wagner, S. C.,** Indian agency at, removal of, II, 401.
- Fort Wagner (S. C.), Battle of.**—In order to test the efficacy of monitors and ironclads as against land fortifications, Admiral Dupont attempted to force the defenses of Charleston Harbor with a fleet of such vessels. Apr. 7, 1863, he started to attack Fort Sumter. His fleet consisted of 7 Ericsson monitors, the frigate *Ironsides*, partially ironclad, and the *Keokuk*, a frailer ironclad. The opposing forts mounted 300 guns. The expedition signally failed. June 12 Gen. Gillmore was placed in command of an expedition against the same fort with 11,500 men, 66 guns, and 30 mortars. Admiral Dahlgren was to cooperate with him with the frigate *Ironsides* and 6 monitors. Gillmore's intention was to capture Fort Wagner, on Morris Island, and then proceed against Fort Sumter. July 10, 1863, a combined attack by sea and land was made on that fortification. He advanced within musket range of Fort Wagner, but delayed the assault till the next day, when it was repulsed. In these operations Gillmore lost about 150 men, the Confederates 300. July 18 another attempt was made to reduce the place, but it was completely repulsed, with a loss of 1,200. Gillmore now determined to approach the fort by a series of parallel trenches. The first was opened July 24 and the third Aug. 9. Beauregard was in command of Fort Sumter. Aug. 17 Gillmore opened on that fort. By the 23d Sumter was battered to ruins. Additional parallels were opened toward Fort Wagner. Final operations began Sept. 5, with 17 siege and cohorn mortars, 13 Parrott rifles, and the 11-inch shells of the *Ironsides*. An assault was to have been made Sept. 7, but during the previous night the garrison evacuated the place. Though 122,300 pounds of metal were thrown against the work, the bombproofs were found intact.
- Fort Wallace Military Reservation, Kans.,** act to provide for disposal of, vetoed, VIII, 723.
- Fort Washington (N. Y.), Capture of.**—One of the most serious disasters to the Americans of the early days of the Revolution. Howe sent an expedition to dislodge the Americans from Forts Lee and Washington, the principal defenses of the Hudson, which Congress had decided, against the advice of Washington, should be held. The garrison withdrew from Fort Lee in safety. Fort Washington was carried by storm Nov. 16, 1776, after a severe struggle, 2,600 men and all the munitions of war falling into the hands of the British. The American loss in killed and wounded did not exceed 130, while the loss of the combined British and Hessian troops amounted to about 450.
- Fort Yuma Military Reservation** disposed of, X, 522, 523.
- Fortress Monroe, Va.:**
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- Forts and Fortifications** (see also Defenses, Public):
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- Forts Clinton and Montgomery (N. Y.), Loss of.**—Forts Clinton and Montgomery were situated on the west side of the Hudson River, about 6 miles below West Point. Fort Montgomery was a large unfinished work north of Poplopen Creek, its garrison consisting of 1 company of artillery, a few regulars, and some half-armed militia under Col. Lamb. Fort Clinton was south of the mouth of the creek, thoroughly built, and garrisoned by a few regulars and militia under Brig. Gen. James Clinton. Oct. 6, 1777, these forts were stormed and carried by the British under Gen. Henry Clinton. The Americans lost about 300 in killed, wounded, and missing, besides 700 cannon and large quantities of ammunition. The British loss was about 200 killed and wounded.
- Fortune Bay Outrages.**—The treaty of Washington (q.v.) ratified in 1871, granted to American fishermen the right to take and cure fish on the Canadian coasts, and the Halifax Commission (q.v.) determined upon the compensation to be made for such privileges. The Newfoundlanders, however, continued to regard American fishermen as intruders, and in January 1878, inhabitants of Fortune Bay, Newfoundland, attacked some Gloucester fishermen who were taking on

Fortune Bay Outrages—Continued.

cargoes of frozen herring, cut their nets, and drove away the crews. The Newfoundland people asserted that the local laws were being violated. The British Government, however, decided that these could not stand in conflict with the treaty. The injured fishermen claimed damages amounting to \$105,305, of which the British Government paid about \$73,000. During President Cleveland's first administration (1884-1888) there was a renewal of the fishery disputes at Fortune Bay and other places along the Canadian coast. For a time feeling ran high in the United States, and retaliatory laws were enacted in 1888, and a *modus vivendi* was agreed upon. (See also Fisheries.)

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Fox, Gustavus V., mentioned, VI, 460, 471.**Fox, Henry S.**, correspondence regarding—

Northeastern boundary. (See Northeastern Boundary.)

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Fox Indians.—A tribe of the Algonquian stock of Indians. They followed the example of many other red men in joining the British forces during the Revolutionary War. In 1804 they made a treaty ceding valuable lands to the Government. They renewed their alliance with the British in 1812. In 1824 and 1830 they ceded large tracts of land, and after taking part in the Black Hawk War (q. v.) were compelled to cede more of their territory by a treaty made with Gen. Scott. They have been successively driven from one place to another until the remainder of the tribe now occupies a small part of Oklahoma. They were incorporated at an early date with the Sac tribe.**Fox Indians:**

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Fox Reservation. (See Sac and Fox Reservation.)**Fox River, Wis.**, act regarding improvement of, vetoed, VII, 382.**F'peeksin Indians**, treaty with, V, 303.**France.**—A Republic of western Europe, bounded on the north by the English Channel, the Strait of Dover, and the North Sea; on the east by Belgium, Luxemburg, Germany, Switzerland, and Italy; on the south by Spain and the Mediterranean Sea, and on the west by the Bay of Biscay and the Atlantic Ocean. It extends from lat. 42° 25' to 51° 5' north, and from long. 7° 39' east to 4° 50' west. The surface in the south and east is mountainous, while in the north and west it is nearly level. Its frontier mountain ranges are the Pyrenees, Alps, Jura and Vosges. The highest mountain in France is Mont Blanc. The Seine, Loire, Garonne, and Rhône are the chief river systems. France is the fourth European country in area and population. The most important agricultural products are grain and wine, while fruits, vegetables, and potatoes are largely produced; next to Russia, France is the largest wheat producing state in Europe. Butter, eggs, poultry, and cattle are exported. The leading mines are iron and coal. France is noted for superior manufactures of silk, cotton, and woolen goods; also of laces, linens, chemicals, glass, pottery, etc. The government is a Republic, administered by a President, who holds office for 7 years, a Senate of 300 members, and a Chamber of Deputies of 591 members. Roman Catholicism is the prevailing religion and numbers about 98 per cent. of the population. France is divided into 87 departments. It has colonial possessions in Africa, Asia, Oceanica, and America. Area 207,301 sq. miles; population (1901), 38,641,333, of her colonial possessions 51,139,340.

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French Spoliation Claims—Continued.

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Fugitive-Slave Laws.—Article IV, section 2, of the Constitution provides: "No person held to service or labour in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due." In pursuance of this provision Congress in 1793 passed the first fugitive-slave law, providing that on the owner's giving proof of ownership before a magistrate of the locality where the slave was found the magistrate should order the slave to be delivered to his owner without trial by jury. Hindering arrest or harboring a fugitive slave was punishable by a fine of \$500. In 1850, as a part of the compromise measures of that year, a law was passed providing for United States commissioners to aid in the more strict enforcement of the law. Proof of identity and 2 witnesses to the fact of escape were all that were required in evidence. The negro could neither testify nor have jury trial. In all the Colonies laws had been passed providing for the return of fugitive slaves. The New England Confederation of 1643 had provided for mutual extradition of slaves. Extradition from British territory had been denied in the decision of the *Somerset* case in 1771. In the case of *Prigg vs. Pennsylvania* (1842) the Supreme Court held that the execution of the law of 1793 devolved upon Federal authorities alone; that State authorities could not be forced to act. Several States thereupon forbade action by their officials. The act of 1850 aroused much bitter feeling in the North, and "personal liberty" laws were passed in many of the States, some of them conflicting with Federal laws and some even with the Constitution itself. The Civil War ended the whole matter, and the laws were repealed.

Fugitive Slaves:

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Fulford, D., act for relief of heirs of, vetoed, IX, 572.

Fuller, Melville W., arbitrator in Venezuelan boundary dispute, X, 113.

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Fundamental Constitutions of Carolina.—In 1669 John Locke, the celebrated English philosopher, drew up an elaborate constitution for the Colony of Carolina, providing for several orders of nobility. At the present day it is of interest only as a sample of early constitutions and an attempt to establish an American aristocracy. The scheme comprehended a grand court of proprietors and a parliament of landgraves and caciques having entailed estates.

Funding.—The process of funding a debt consists in dividing it into shares or bonds, with stated times of payment of interest and prin-

cipal. Refunding a debt is the process of substituting bonds, usually at another rate of interest, for outstanding obligations. The first funding of the national debt was by the act of Congress of Aug. 4, 1790, at the suggestion of Alexander Hamilton, then Secretary of the Treasury. This act provided for the payment, by the issue of 6 per cent. bonds, of all the floating foreign and domestic debts of the United States and such of the debts of the several States as were incurred in prosecuting the War for Independence. Since that time there have been numerous issues of bonds by the General, State, county, and municipal governments. It was not until July 14, 1870, that an attempt was made to refund the entire national debt, when Congress passed the *Sherman Act*, providing for the issue of \$200,000,000 5 per cent. bonds (later increased to \$500,000,000), \$300,000,000 4½ per cents, and \$1,000,000,000 4 per cents. The 5 and 6 per cent. bonds have been retired or extended at 3 and 3½ per cent. interest, under agreements of 1881 and 1882, while nearly all the 4 and 4½ per cent. bonds have been bought in the open market with the surplus cash in the Treasury.

Fur Seals. (See *Bering Sea*.)

Fur Trade, persons killed while engaged in, referred to, II, 565.

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Gadsden, James:

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Rejection of nomination of, as colonel discussed, II, 126, 133.

Gadsden Purchase.—This term is applied to a tract of land consisting of 45,535 sq. miles in Arizona and New Mexico, extending from the Gila River to the Mexican boundary. It was acquired from Mexico by a treaty negotiated by James Gadsden Dec. 30, 1853. The United States paid Mexico \$10,000,000 for the land, but Mexico relinquished claims against the United States for damages for Indian depredations amounting to from \$15,000,000 to \$30,000,000. For this transaction Santa Anna, President of Mexico, was banished as a traitor.

Gadsden Purchase, treaty with Mexico respecting, V, 229.

Gag Rule.—May 26, 1836, Congress passed a resolution providing that thenceforth all petitions, memorials, resolutions, propositions, or papers relating in any way to the subject of slavery or the abolition of slavery should lie upon the table without being printed or referred. John Quincy Adams led a strong and bitter opposition to this infringement upon the right of petition. The cry of "gag rule" was raised in the North and served to increase the spirit of petition in that section. Dec. 3, 1844, the rule was abolished.

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- Gaines, John P.**, correspondence regarding seat of government of Oregon, V, 148.
- Gaines Mill (Va.), Battle of.**—One of the series of engagements which took place June 25 to July 1, 1862, before Richmond, commonly known as the Seven Days' Battles. June 27, the day after the battle of Mechanicsville, Fitz-John Porter retired to Gaines Mill Heights, about 5 miles east of his former position. Here he was attacked shortly after noon by A. P. Hill's corps. Slocum's division was sent to reinforce Porter, increasing his army to 35,000. During the afternoon Jackson joined Hill and Longstreet, swelling the Confederate forces to about 60,000. Severe fighting was continued until dark. Porter succeeded in defending the bridges across the Chickahominy, allowing the heavy guns and wagon train to pass in safety on their way to the James. During the night he himself crossed over, destroying the bridges. The loss of the Confederates was reported at 3,284. Porter lost 894 men killed, 3,107 wounded, and 2,836 missing, a total of 6,837. He also lost 22 cannon.
- Gainesville, McAlester and St. Louis Railway Co.**, act regarding grant of right of way to, through Indian Territory returned, IX, 607.
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- Gallion, Ephraim H.:**
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- Galphin, George**, claims of heirs of, referred to, III, 274.
- Galveston, Tex.:**
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- Game, Big**, preservation of, X, 542; XI, 964, 1171.
- Gannett, Henry**, member of Board on Geographic Names, IX, 212.
- Ganon, N.**, correspondence regarding unlawful expedition in New York, III, 399.
- Garcia.** (See Rey.)
- Garcia, Manuel**, act granting pension to, vetoed, VIII, 701.
- Garden City Forest Reserve**, proclaimed, XI, 1067.
- Gardoqui, Don Diego**, commercial relations with Spain, letter of, concerning, I, 121.
- Garesché, J. P.**, assistant adjutant-general, order regarding Missouri militia, VI, 42.
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- Garland, John**, gallantry of, at battle of Monterey, Mexico, referred to, IV, 518.
- Garland Case.**—In 1860 Augustus H. Garland was admitted to practice in the United States Supreme Court. Not very long after the State of Arkansas had seceded from the Union in 1861 he was sent to the Confederate congress, where he served until the surrender of Gen. Lee in 1865. He was included in the general amnesty extended to citizens of the Southern States. July 2, 1862, Congress enacted a law requiring all candidates for office to take an oath that they had never engaged in hostilities against the United States, and on Jan. 24, 1865, this oath was required of persons admitted to the bar of any circuit or district court of the United States or Court of Claims. Garland refused to take the prescribed oath on the ground that it was unconstitutional and void as affecting his status in court, and that if it were constitutional his pardon released him from compliance with it. The court sustained him in his contention on the ground that the law was *ex post facto*. Justice Field, delivering the opinion said: "It is not within the constitutional power of Congress thus to inflict punishment beyond the reach of Executive clemency." Chief Justice Chase and Justices Miller, Swayne, and Davis dissented.
- Garrett, Eli**, act granting pension to, vetoed, VIII, 823.
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- Gates, William**, major, United States Army:
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Geary Law, sustained by Supreme Court, discussed, IX, 436.

Geddes, Charles W., act for relief of, vetoed, VIII, 820.

Gedney, Lieut., mentioned, II, 475.

General.—Formerly highest rank in the United States Army, conferred in recognition of distinguished military services. It was first created by act of Congress Mar. 2, 1799, and conferred upon George Washington; was abolished in 1802, but was revived July 25, 1866, for Ulysses S. Grant. William T. Sherman succeeded to the rank, Mar. 4, 1869, Grant having become President, and held it until his retirement, Feb. 8, 1884. The grade was revived June 1, 1888, for Philip H. Sheridan, who held it until his death, Aug. 5 of that year, when it ceased to exist. The rank of General was also the highest in the Confederate army.

General Allotment Act, mentioned, X, 450.

General Armstrong, The:
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Distribution of fund appropriated for relief of owners and crew of, referred to, VIII, 402.
President of France selected as arbiter in case of, V, 119.
Award of Emperor of France, V, 186.

General Land Office.—A bureau of the Interior Department, charged with the surveying and disposal of the public lands of the United States. Until 1812 the Secretary of the Treasury acted as agent for the sale of public lands. After the office of the Commissioner of the General Land Office was provided for, the Land Office remained a bureau of the Treasury Department until the creation of the Interior Department, Mar. 3, 1849, when it became a part of that Department.

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General Urrea, The, capture off the coast of Texas of, by the *Natchez* and restoration of, referred to, III, 400.

Geneva Convention.—An agreement entered into at Geneva, Switzerland, Aug. 22, 1864, by representatives of France, Belgium, Switzerland, Portugal, Holland, Italy, Spain, Denmark, Baden, and Prussia. It has since been agreed to by all the military powers of Europe and of America, except Brazil. Of Asiatic countries Persia has also consented to be governed by its provisions. The convention provides for the neutrality of ambulances, no distinction of nationality to be made in caring for the sick and wounded. Natives of an invaded country who bring aid to sick and wounded shall be free and respected. If they receive the wounded into their houses, they shall be exempt from military contributions and quartering of troops. Hospitals and their attachés, unless defended by a military force, shall be recognized as neutral. Nurses, surgeons, physicians, and those in charge of administration and transportation shall be marked by a distinctive flag or arm badge, consisting of a red cross on a white ground. The sick and wounded who fall into the hands of the enemy shall, when cured, be returned to their own country if incapable of service; otherwise they shall be paroled. In 1868 a second convention met at Geneva and extended the operations of the system to naval warfare so far as possible. Influenced by the agreement between nations, many Red Cross societies have been organized by humane civilians, whose work has done much to alleviate the horrors of war. The credit of originating the idea of neutralizing the sick and wounded is due to two Swiss gentlemen, Heinrich Dumont, a physician, and his friend, Gustave Moynier, chairman of the Society of Public Utility.

Geneva Convention, for relief of wounded in war referred to, VIII, 44, 66, 83.

Geneva Tribunal.—A tribunal for the settlement of the claims of the United States against Great Britain for damages sustained by reason of the depredations of the *Alabama*, *Florida*, *Georgia*, *Shenandoah*, and other Confederate cruisers which had been fitted out in English ports. The treaty of Washington, concluded May 8, 1871, provided for the submission of these claims (known as "Alabama Claims") to a court of arbitration. The court met at Geneva, Switzerland, Dec. 15, 1871, and was composed of Charles Francis Adams, appointed by the President of the United States; Sir Alexander Cockburn, by the Queen of England; Count Federico Sclopis, by the King of Italy; M. Jacques Staempfli, by the President of Switzerland, and Viscount d'Itajuba, by the Emperor of Brazil. The United States claimed the right to submit certain indirect claims—i.e., the cost of pursuing the privateers, compensation for increased rates of insurance, and the prolongation of the war by reason of the depredations—but these the board of arbitrators refused to entertain. Final judgment was rendered Sept. 14, 1872. The tribunal unanimously found Great Britain liable for the depredations of the *Alabama*; with the dissent of Sir Alexander Cockburn, the same finding was made in the case of the *Florida*; 3 of the arbitrators found against Great Britain in the case of the *Shenandoah*. In the other cases insufficient evidence was presented to justify a finding. The United States were awarded \$15,500,000 in gold in satisfaction of all claims. Sir Alexander Cockburn, on the part of Great Britain, filed a long dissenting opinion. (See also Alabama Claims.)

Geneva Tribunal (see also Halifax, Nova Scotia):
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Geodetic Association, International, invitation to United States to become a party to, VIII, 607.

Geographer of United States.—By an act passed May 20, 1875, Congress created a national geographer, whose duty it was to supervise all surveys and submit plats to the Treasury Department. The United States Coast and Geodetic Survey now has control of this work.

Geographic Names, Board on, Executive order constituting, IX, 212; X, 236.

Geographical Congress of Venice, VIII, 39.

Geographical Survey, practicability of consolidating with Geological Survey discussed, VII, 264.

Geological Explorations, discussed, VII, 353.

Geological Survey.—A bureau of the Interior Department, created in 1879. It has charge of the classification of the public lands, the examination of the geological structure, mineral resources, and products of the national domain, and the survey of the forest reserve.

Geological Survey:

Practicability of consolidating with Geographic Survey discussed, VII, 264.

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Geological Surveys.—Expeditions for the special purpose of making geological inquiry have been provided for by the General Government and by nearly all the States, beginning with North Carolina, whose legislature authorized a survey of the State in 1823. Such work carried on by the Federal government is under the supervision of the Department of the Interior (q. v.). The United States at first attached geologists to exploring parties, but in 1834 sent out a special geological survey under Featherstonhaugh. Similar expeditions set forth in 1839, 1845, 1847, and 1848. In 1867 F. V. Hayden was authorized to survey Nebraska, extending his work later into other Territories. In 1871 J. W. Powell was commissioned to survey the country bordering upon the Colorado River, and G. M. Wheeler was put in charge of a topographical survey. In March, 1879, the United States Geological Survey was created, and the Hayden, Powell, and Wheeler surveys consolidated with it. The five branches of the Survey are: (1) Administrative; (2) Geologic, including the making of the geologic map and the study of economic geology; (3) Topographic, including the making of the basal topographical map which has been extended over thirty-one per cent. of the area of the United States; (4) Hydrographic, including the Reclamation Service which has Irrigation (q. v.) work in charge and which determines the flow and discharge of rivers; (5) Publication Branch. The Directors of the Geological Survey have been Clarence King,

1879-1881; Major J. W. Powell, 1881-1894; Charles D. Wolcott, 1894 to the present time (1906). The first appropriation for the work (1879) was \$106,000. The appropriation for 1903-1904 was \$1,377,820.

Georges Shoals, survey of, completed, III, 393.

Georgetown, D. C.:

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Georgia.—One of the thirteen original States; nickname, "The Empire State of the South;" motto, "Wisdom, Justice, Moderation." It is bounded on the north by Tennessee and North Carolina, on the east by South Carolina (separated by the Savannah River) and the Atlantic Ocean, on the south by Florida, and on the west by Alabama (separated in part by the Chattahoochee River). The surface is level in the south, rolling in the center, and mountainous in the north. It is one of the leading States in the production of cotton. Lumber, rice, gold, iron, and coal are also produced. The manufacture of cotton and woolen goods and the production of iron are industries which have rapidly developed in recent years. Georgia was settled by English colonists under Oglethorpe in 1733. Georgia passed an ordinance of secession Jan. 19, 1861. It was restored to the Union by act of Congress June 25, 1868. Area, 59,475 sq. miles; population, (1900), 2,216,331, of which more than 46 per cent. are negroes.

Georgia (see also Atlanta; Augusta; Confederate States):

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Georgia, The.—A Confederate cruiser built at Glasgow, Scotland, and sent out to prey upon the commerce of the United States during the Civil War. The *Georgia* sailed from Glasgow in April, 1863, under the name of the *Japan* and destroyed a number of Federal merchant vessels off the coast of France. Aug. 15, 1863, she was seized by the U. S. S. *Niagara*, Capt. Craven, and taken to England.
Georgiana, The. seizure of, by Spanish or Cuban authorities referred to, V, 143.
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Georgiana, The. convention with Peru regarding claims arising out of capture of, VI, 152.
Germanic Association of Customs and Commerce:
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Germantown (Pa.), Battle of.—After the American defeat at Brandywine Creek and the British occupation of Philadelphia, Washington determined to attack the main body of Howe's army, which was quartered in Germantown, a suburb of Philadelphia. The American army was encamped at Skippock Creek, 20 miles from Philadelphia and consisted of about 10,000 men. About two-thirds of these, under Generals Sullivan and Wayne, started for Germantown on the evening of Oct. 3, 1777. Washington accompanied Sullivan's division. The battle opened about 7 a. m. on the 4th. The attack failed on account of fog and a misunderstanding among the officers. After 3 hours of severe fighting the Americans were obliged to retreat with a loss of 673 killed and wounded and some 400 prisoners. The British loss was reported at 535, including Gen. Agnew and Lieut. Col. Bird, though 800 is claimed to be a more approximate figure. Washington retired to his former camp and Gen. Howe returned to Philadelphia.
Germany.—A country of Central Europe, bounded on the north by the North Sea, Denmark, and the Baltic Sea; on the east by Russia and Austria-Hungary; on the south by Austria-Hungary and Switzerland, and on the west by France, Luxemburg, Belgium, and the Netherlands. It extends from lat. 47° 16' to 55° 54' north, and from long. 5° 52' to

22° 53' east. The country is generally level in the north, but hilly and mountainous in the south. The principal mountains are the Alps, Vosges, Black Forest, etc. The chief products are grain, hemp, beets, wine, flax, etc. There are mines of iron, salt, coal, copper, lead, silver, etc., and valuable manufactures of cotton, woolen, and linen goods, also of iron, steel, beer, etc. Germany comprises 26 States, and is a constitutional monarchy. The King of Prussia is hereditary German Emperor. The legislature consists of a Bundesrath of 58 members and a Reichstag of 397 members. Germany has several foreign dependencies. The Empire as at present constituted replaced the North German Confederation, and is based on treaties between that body and the other German States. Area, 208,830 sq. miles; population (1900), 56,367, 178.

Germany (see also Berlin; Hamburg):

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 - Surrender of Apaches under, to Gen. Miles discussed, VIII, 514.
- Gerry, Commander,** mentioned, V, 305.
- Gerrymander.**—An arbitrary arrangement of the legislative or Congressional districts of a State regardless of geographical contiguity and compactness, whereby a minority of the voters of one party may be so grouped as to elect all or a majority of the Representatives in Congress or a State legislature. The word was coined in 1811 from the name of Elbridge Gerry, who as governor of Massachusetts signed a bill passed by the Democratic majority of the legislature grouping the sections which gave Federalist majorities into one district, with a fancied resemblance to a salamander.
- Gerrymander,** discussed, IX, 208.
- Gettysburg (Pa.), Battle of.**—After the remarkable success of the Confederate arms at Chancellorsville, and in response to a general demand of the people of the Confederacy, Gen. Lee determined upon an invasion of the Northern States. In the early days of June, 1863, he started his army on the northward march into Pennsylvania. Passing up the Shenandoah Valley by way of Winchester (at which latter place he defeated Gen. Milroy, capturing 4,000 prisoners and 28 cannon), he crossed the Potomac at Williamsport and Shepherdstown, arriving in Hagerstown, Md., with a force of 68,352 effectives, accord-

ing to Confederate accounts, or of 97,000 men and 280 guns, according to some Federal accounts. Hooker's army numbered about 80,000. By June 27 Lee had reached Chambersburg, Pa., with Longstreet's and Hill's corps, Ewell having pushed on as far as Carlisle and York. While the Confederates moved up the west side of the Blue Ridge Mountains Hooker marched along the east side, keeping always between his adversary and Washington. The movement of the Confederates toward the east through Chambersburg threatened Harrisburg and Columbia, and eventually Baltimore. Hooker asked to be relieved of command, which request was immediately granted, and he was succeeded by Gen. George G. Meade, who assumed command June 28. Meade was now reinforced by 15,000 men from Washington and 2,100 from the Middle Department and granted the privilege of calling upon the 11,000 at Harpers Ferry, making the two armies thus advancing to battle on Northern soil numerically equal, according to Northern statements. Lee, learning on June 28 that Meade was just across the South Mountain, and fearing the latter might attempt to cut off his communications with the Potomac by an advance through the mountain gaps in his rear, determined upon an eastward movement. Meade surmised that Lee would attempt a movement south on the east side of the South Mountain, and prepared to meet him and give battle at Pipe Creek, near Taneytown, Md., 15 miles southeast of Gettysburg. The left wing of the Federal army, consisting of the First, Eleventh, and Third corps, was sent forward to Gettysburg to mask the Pipe Creek movement. On the morning of July 1, 1863, Buford's cavalry, which had moved west of Gettysburg on the Chambersburg road, encountered the Confederate advance under Hill and Heth and were driven back to Seminary Ridge, west of the town. The corps were scarcely placed in line of battle when Gen. Reynolds was mortally wounded and the command of the field devolved upon Howard. He was later in the day superseded by Gen. Hancock. During the afternoon Ewell's corps and two-thirds of Hill's reinforced the Confederates and drove Reynolds's and Howard's corps to Cemetery Hill, south of the town, inflicting upon them a loss of nearly 10,000 men and 16 guns. Gen. Lee ordered Ewell to press forward and take the hill. Ewell failed to push on. On the advice of Hancock, Meade moved his whole army during the night and occupied Cemetery Hill. Lee's army was posted along Seminary Ridge, west of the town. July 2 the fighting of both armies was directed toward securing good positions, the Confederates gaining in two of three advance movements and capturing some trophies and prisoners. The attack on Cemetery Hill, while nearly successful, was disjointed, the Confederates retiring with their prisoners. The Union loss the second day was 10,000, Sickles losing half of his men. The Confederate losses were also great. July 3, the day of the decisive action, opened with slight skirmishing. After noon a heavy cannonade was kept up between the two armies for 2 hours. About 3 o'clock in the afternoon the Confederates, under Pickett, made a grand assault. They went forward in

Gettysburg (Pa.), Battle of—Continued.

the face of a terrible fire and met with almost complete destruction. Hays's division took 2,000 prisoners and 15 colors; Gibbon's division took 2,500 prisoners and 12 colors. The charge on the left was under Pettigrew, and was made with the same desperate valor. The entire Federal losses at Gettysburg were 3,155 killed, 14,529 wounded, and 5,365 missing—a total of 23,049. The Confederate losses footed up, according to official reports, a total of 20,451, of whom 2,592 were killed, 12,709 wounded, and 5,150 taken prisoners. This report does not include the artillery losses. Gettysburg was probably the crucial battle of the Civil War.

Gettysburg Battlefield, work of locating and preserving lines of battle at, IX, 447.

Ghent, Treaty of.—A treaty of peace concluded by the United States and Great Britain at Ghent, Belgium, Dec. 24, 1814, and ratified Feb. 17, 1815. It brought to a close the War of 1812, leaving matters substantially as they were before the war. No mention was made of the right of search and the impressment of seamen by the British, though these were the chief causes of the war. Our seamen since that war have not been impressed by Great Britain. The treaty provided for the mutual restoration of territory, property, and archives, except certain islands in and near Passamaquoddy Bay, whose possession was to be determined by a commission; a cessation of hostilities; restoration of prisoners; an establishment of the disputed northeastern boundary by construction of the treaty of 1783, with possibly a final reference to some friendly power, other boundary questions to be disposed of in a similar manner, and a mutual promotion of measures for the abolition of the slave trade. The treaty was negotiated by John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin on behalf of the United States, and by Lord James Gambier, Henry Goulburn, and William Adams on the part of Great Britain.

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Gibbons vs. Ogden.—An important Supreme Court case denying the right of a State to grant the exclusive privilege of navigating the waters of a State extending to the coastwise traffic of another State. Aaron Ogden had obtained through assignment the exclusive right to navigate for 30 years, with boats propelled by fire or steam, the waters within the jurisdiction of the State of New York. In 1808 the New York court of chancery granted an injunction forbidding Thomas Gibbons from running steamboats between New York, Elizabethtown, and other places in New Jersey. Gibbons appealed, and the New York court of errors having sustained the chancery court, the Supreme Court rendered judgment for the appellant Gibbons on the ground that the granting of exclusive navigation of waters within the State of New York by the State's legislature, extending to coastwise traffic with another State, was repugnant to the clause of the Constitution of the United States authorizing Congress to regulate commerce, and was void. Ogden's bill was dismissed, the decree of the two New York courts having been annulled. The case occupies 240 pages of a large volume of the Supreme Court Reports. Daniel Webster appeared for the appellant. Chief Justice Marshall delivered the opinion.

Gibson, Walter M., held in duress by Dutch authorities at Batavia, V, 295, 298.

Gila Bend Reservation, Ariz., removal of Indians on, bill for, transmitted, IX, 64.

Gila Forest Reserve proclaimed, XI, 1051.

Gila Valley, Globe and Northern Railway, act granting right of way to, through San Carlos Reservation, Ariz., vetoed, IX, 571.

Gilbert, Henry C., treaty with Indians concluded by, V, 296, 351, 421.

Gillespie, Capt., dispatch to consul at Monterey forwarded and destroyed by, IV, 578.

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Glass, John, act removing charge of desertion against, vetoed, X, 456.

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Godfrey, Edwin J., act granting pension to, vetoed, VIII, 717.

Gold.—The most valuable of the metals in general use among civilized or barbarous nations, both in ancient and in modern times. Its earliest use was probably for personal adornment. It was extensively employed by the Oriental nations, such as the Hindus, Akkadians, Assyrians, Egyptians, and the Persians. Although it never was used to the same extent among the Greeks, they obtained it by their intercourse with the Phenicians and other navigators and merchants of the Mediterranean, and adorned their temples and made ornaments for their wealthier classes with it. Neither was gold in common use at an early day in Rome. Gold as money was not coined so early as silver. The Lydians made coins of this metal 860 B. C., but it had been in earlier use in the shape of rings, rods, etc., in the cities of the Chaldeans and in Assyria, and also among the Egyptians. The metal has been found most abundantly in South America, South Africa, and North America. Ancient gold mines of Russia were reopened in 1699 and those of the Ural Mountains have since been richly productive. Gold was discovered in Peru and Mexico in the sixteenth century by the Spaniards. It was found in Malacca in 1731, in Nueva Andalucia in 1785, in Ceylon in 1800, in New Zealand in 1842, in California in 1848, in Australia in 1851, in British Columbia in 1856, in Nova Scotia in 1861, in the Transvaal in 1868, in the Bendigo gold fields, Western Australia, in 1870, and in the Klondike region of the Yukon in 1896. The production of gold has been steadily increasing in recent years by reason not only of new discoveries but of the improved scientific methods of mining and of extracting the pure metal from the ore. The estimated value of all the gold in the world in 1848 was \$2,500,000,000. In 1875 the amount had probably doubled. There was a large increase in the world's production of gold in 1897, the output for that year being twice that of 1890. More than 90 per cent. of the supply was furnished by 7 countries, viz, the United States, the Transvaal, Australia, Russia (Siberia), British India, Canada, and Mexico. The production of the Klondike region in 1897, according to Dr. Dawson, of the Dominion Geological Survey, was \$2,500,000. In 1896 the total production of gold for the world was officially reported at \$202,682,300, of which the United States produced \$53,088,000; in 1897 the total production was \$237,504,800, of which the United States produced \$57,363,000, Australasia \$55,684,200, and the Witwatersrand mines of South Africa \$53,567,414. During 1904 the United States coined \$233,402,408 of gold. The nearest approach to it by any other nation was Great Britain which coined at the London and Australasian Mints gold to the value of \$108,565,133. The world's production of gold during the year 1904 was 16,780,913 oz. fine valued at \$346,892,200. The economic party in the world advocating the single gold standard has the example and practice of England, Germany, and most of the other commercial nations during a part of the present century to support their contention; but some of the most eminent of the economists in Europe, even in England, are bimetalists. In the

United States the battle of the standards has been fiercely waged ever since the suspension of the coinage of silver in 1873.

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 - Participate in dedication of Washington Monument, VIII, 292.
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 - Overproduction of, X, 546, 822.
- Governor.**—The executive head of each of the States of the Union. When the first settlements were made in America the term governor was used in England to designate the head of large trading corporations like the East India Company, Massachusetts Bay Company, etc. In the Colonies, therefore, which operated under charters similar to the trading companies the executive head became known as the governor. In the royal Colonies he was appointed by the Crown, in the proprietary Colonies by the proprietors, and in Rhode Island, Connecticut, and most of the time in Massachusetts he was chosen by the people. After the Revolution the constitutions of the States provided for a single head, to be called the governor. Terms of the governors of the States vary from 1 to 4 years and the salaries from \$1,000 to \$10,000. To them is intrusted the execution of the laws, and they are usually invested with the veto and pardoning powers. In our early history the governors of many of the States were chosen by the legislatures thereof. At present the uniform practice is to elect the governor by popular vote.
- Governors Island, N. Y.,** appropriation for sea wall on, recommended, VIII, 157.
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- Govin, Charles,** death of, in Cuba, IX, 746.
- Goward, Gustavus,** report of, on Samoan Islands transmitted, VII, 521.
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- Graham, John,** commissioner to South America, II, 48.
- Granada, The,** seizure of, by Canadian revenue cutter at Port Hood, Nova Scotia, VII, 116.
- Granadian Confederation,** convention with, referred to, VI, 67.
- Granby Token.**—An unauthorized coin issued by John Higley, of Granby, Conn., in 1737. It was made of copper and on the obverse bore a deer with the words "Value me as you please," the Roman numerals III, and a crescent. The design on the reverse consisted of 3 hammers on a triangular field, each bearing a crown. The legend was, "I am good copper."
- Grand, Okla.,** mentioned, X, 619.
- Grand Army of Republic.**—A fraternal, charitable, and patriotic organization composed exclusively of ex-soldiers and ex-sailors of the Union Army, Navy, and Marine Corps who served during the Civil War and were honorably discharged. It was planned by Dr. B. F. Stephenson, ex-surgeon of the Fourteenth Illinois Infantry. The first post was organized at Decatur, Ill., April 6, 1866, and the first regular convention was held at Indianapolis, Ind., Nov. 20, 1866. Forty posts were represented, and Gen. S. A. Hurlbut, of Illinois, was chosen commander in chief. The organization now has branches in all parts of the Union. Its objects are to bring together in a spirit of friendship all former soldiers and sailors in the service of the Union during the Civil War, to care for the widows and orphans of their deceased comrades, to cultivate a spirit of devotion to the Union, and to perpetuate the memory of their dead. The membership in 1905 amounted to 232,055. Auxiliary to the Grand Army is the Women's Relief Corps, an organization of women having the same objects as the Grand Army and numbering 152,233 members.
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- Grand Canyon of the Colorado,** proposed as National Park, XI, 1171.
- Grand Canyon Forest Reserve,** boundaries of, X, 882.
- Grand Jury.**—A jury whose duty it is to inquire into charges for offenses and to determine whether indictments shall be brought against alleged criminals in any court. Provisions of the Federal and State constitutions prohibit the criminal prosecution of any person except upon presentment or indictment by a grand jury for any except

Grand Jury—Continued.

the less serious crimes or misdemeanors or military or naval offenses. The custom is very ancient and has been scrupulously guarded as a safeguard of civil liberty since the time of Ethelred, an Anglo-Saxon king of the ninth century. At common law (and usually by statute) the grand jury consists of not less than 12 nor more than 23 members, and the concurrence of 12 is necessary to the finding of an indictment. They sit in absolute secrecy, and may either pass upon bills presented by the prosecuting officer of the State, or upon presentments made by one of their own number, or upon evidence laid before them of any violation of law. The proceedings are entirely *ex parte*. Witnesses for the prosecution only are examined. If the requisite number of jurors are satisfied, from the evidence presented, of the truth of the accusation, the foreman of the grand jury writes on the back of the indictment the words "A true bill", signs his name as foreman, and adds the date of the finding; but if the evidence is unsatisfactory the indorsement is "Not a true bill." After all the indictments have been considered the work of the grand jury is ended and the cases are turned over to the court and petit jury for trial.

Grande Ronde Reservation, Oreg., relief of Indians on, bill for, VIII, 193.

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Grangers.—A common name for the Patrons of Husbandry, a secret association for the promotion of agricultural interests. The society had its origin in the depressed condition of agriculture immediately succeeding the Civil War. Its object was to redress the grievances of the farmers against the middlemen and railroad companies. The plan of organization embraces a secret ritual. It was organized in Washington Dec. 4, 1867, by employees of the Department of Agriculture. In a manifesto issued in 1874 the objects of the Grangers are declared to be "to develop a better and higher manhood and womanhood; to enhance the comforts of our homes; to buy less and produce more; to discountenance the credit system, the fashion system, and every other system that tends to prodigality and bankruptcy." Though non-political, the order has exerted a strong influence in various State legislatures and in elections. The organization is represented in 44 states and territories and has over 30,000 lodges; in each State lectures are given under its auspices by members of the lodges.

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kingdom, including England, Wales, Ireland, and Scotland and the neighboring smaller islands is, The United Kingdom of Great Britain and Ireland. The government is a hereditary constitutional monarchy. The legislature consists of a Parliament, comprising the House of Lords and House of Commons, the former body having about 593 and the latter 670 members. Great Britain has a larger number of colonies and foreign possessions than any other country. England is the wealthiest and most important portion, and with Wales forms the southern part of the island of Great Britain. England has important agriculture, but its chief interests are commercial, manufacturing, and mining. Great Britain has also by far the greatest, amounting almost to a monopoly, of the ocean carrying trade of the world. The chief manufactures are cotton and woolen goods, iron and steel, hardware, etc., while its mineral products are iron, coal, tin, copper, etc. The Anglican Church is established, and there are also many Protestant dissenting bodies and many Roman Catholics. Area of the United Kingdom, 121,027 sq. miles; population (1901), 41,609,320. Area of the British Empire, including colonies, protectorates, etc., 11,516,821 sq. miles; population (1901), 396,968,798. The British colonial possessions are world wide, and are of three types; (1) Crown Colonies, which are controlled entirely by the Home Government; (2) those having Representative Institutions, where the Crown retains the appointment of all public officials and has a veto on legislation; (3) those having Responsible Government, where the Crown appoints only the governor and has a veto on legislation. The chief colonial possessions are Malta and Gibraltar in Europe; India, Burmah, Hong Kong, the Straits Settlements, Aden and Borneo in Asia; Cape Colony, Natal, Transvaal, Orange River Colony, Rhodesia, Mauritius, British Central and East Africa and Ajanda in Africa; Canada, Newfoundland, British West Indies, Guiana and British Honduras in America; and the entire continent of Australia with New Zealand. The Kingdom of Great Britain with its colonies comprises nearly one-fourth of the habitable surface of the earth.

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- Great Lakes**.—Five large bodies of fresh water on the northern line of the United States. They are Superior, Michigan, Huron, Erie, and Ontario. Lake Superior is the largest sheet of fresh water in the world; elevation above sea level, about 600 feet; length, about 370 miles; area, about 32,000 sq. miles. Lake Michigan is about 340 miles long and has a depth of 870 feet; elevation above sea level, 582 feet; area, over 22,000 sq. miles. Lake Huron has a length of 270 miles; depth, from 300 to 1,800 feet; elevation above sea level, 581 feet; area, about 23,800 sq. miles. Lake Erie is the southernmost and shallowest of the lakes, and is about 250 miles long; elevation above sea level, 573 feet; area, 9,600 sq. miles. Lake Ontario is the smallest and easternmost of the lakes, and is 190 miles long; elevation above sea level, 234 feet; area, about 7,500 sq. miles.
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- Greece**.—A country in southeastern Europe. Modern Greece is a Kingdom lying to the south of Turkey, with the *Ægean* and *Ionian* seas to the east, south, and west. The government is a hereditary constitutional monarchy, with a Chamber of Deputies comprising 235 members. The prevailing re-

Greece—Continued.

ligion is that of the Greek Church. Agriculture is the chief industry, the manufactures being few and unimportant. Area, 25,014 sq. miles; population (1896), 2,433,806.

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Greenback Party.—Opposition to the resumption of specie payments caused a political party to be organized at Indianapolis, Ind., Nov. 25, 1874, called the Greenback party. The platform adopted advocated the withdrawal of all national and State bank currency and the substitution therefor of paper currency, or greenbacks, which should be exchangeable for interconvertible bonds bearing interest sufficiently high to keep them at par with gold, and that coin should only be used in payment of interest on the national debt. In 1876 the Greenback party nominated Peter Cooper, of New York, for President. He received 81,740 votes, mostly from the Western States. In 1878 the Greenback party united with the Labor Reform party, the two forming the Greenback-Labor party. The new party, in their platform adopted at Toledo Feb. 22, 1878, reiterated the demands of the original Greenback party, and in addition declared for an 8-hour law, prohibition of Chinese immigration, and

against grants of land to railroads and special grants to corporations. Fourteen members of Congress were elected on this platform. June 9, 1880, at their national convention held at Chicago, they nominated Gen. James B. Weaver, of Iowa, for President and B. J. Chambers, of Texas, for Vice-President. Their popular vote reached 307,740. In 1884, with Gen. B. F. Butler as their candidate, they polled only 133,825 votes.

Greenbacks.—The common name for the legal-tender Treasury notes, printed on one side in green ink, issued by the Government during the Civil War. The right of the Government to issue bills of credit was disputed by many statesmen and financiers, but the exigencies of the time seemed to render some such measure necessary and the Supreme Court finally established their validity. Issues of \$150,000,000 each were authorized by the laws of Feb. 25 and July 11, 1862, and Mar. 3, 1863. The result was that, as compared with greenbacks, gold was held at an average of 220 throughout 1864, and at one time actually rose to 285, and did not again touch par with greenbacks till Dec. 17, 1878, nearly 17 years after the last previous sale of gold at par. By the specie resumption act of Jan. 14, 1875, it was ordered that on and after Jan. 1, 1879, all legal-tender notes presented to the assistant treasurer of the United States at his office in New York should be redeemed in coin. The term "greenback" has been applied to other forms of United States securities printed in green ink.

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Grierson's Raid.—In the spring of 1863 Gen. Hurlbut, with the approval of Gen. Grant, ordered Col. B. H. Grierson to proceed from La Grange, Tenn., with the Sixth Illinois

Grierson's Raid—Continued.

(his own regiment), the Seventh Illinois, and the Second Iowa, by way of Pontotoc, in the northern part of Mississippi, to Baton Rouge, La., cutting the southern railroads and destroying bridges on the way. Apr. 17, 1863, the expedition started and on the 19th the Second Iowa was detached below Pontotoc and the two Illinois regiments proceeded to Baton Rouge, where they entered the Union lines May 2. The results of the expedition are thus summed up in Grierson's report: About 100 of the enemy killed and wounded; 500 prisoners (many of them officers) captured and paroled; between 50 and 60 miles of railroad and telegraph destroyed; more than 3,000 stand of arms and other stores captured and destroyed, and 1,000 horses and mules seized. Federal loss, 3 killed, 7 wounded, 5 left sick on the route, and 9 missing.

Griffin, Walter T., report of, transmitted, IX, 334.

Griffon, The, seizure of, by Brazilian authorities, V, 246.

Griggs, Abraham P., act granting pension to, vetoed, VIII, 545.

Grinnell, Moses H., mentioned, VI, 78.

Griswold, Elisha, act for relief of, vetoed, VIII, 671.

Griswold, Stanley, conduct of, while secretary of Michigan Territory referred to, I, 442.

Groesbeck, William S., counsel for President Johnson in impeachment proceedings, VI, 749.

Grogan, Mr., capture and imprisonment of, by Canadians, IV, 75.

Gros Ventre Indians.—Two separate tribes of wandering Indians. The Gros Ventres of the prairie claim to have separated from the Arapahoes. After their separation they joined first one tribe and then another, and because of their infidelity suffered many hostile attacks from their neighbors. In 1824 they settled with the Blackfeet, near the Milk River. Their greatest chief was Sitting Squaw. Treaties were made with them in 1851, 1853, 1855, 1865, and 1868. In 1870 they were joined by their kindred, the Arapahoes, and are now occupying a portion of the Blackfeet Reservation in Montana. They number about 1,500.

Gros Ventre Indians:

Allotment of lands in severalty to, referred to, VIII, 196.

Treaty with, VI, 700.

Grosvenor, Charles H., brevet brigadier-general, acts and proceedings of, declared null and void, VI, 350.

Groveton (Va.), Battle of, or Second Battle of Manassas.—After eluding Pope's army and destroying the military stores at Bristow Station and Manassas, Stonewall Jackson retired across the battlefield of Bull Run and awaited reinforcements. Longstreet arrived on Aug. 29, swelling the numbers of the Confederate army to 49,000. Pope's army numbered about 40,000. On the evening of the 28th Kearny had driven the Confederate rear guard out of Centerville, and Pope, feeling sure of crushing Longstreet and Jackson, ordered an attack to be made at daylight next morning. Sigel began the attack, which soon became general. McDowell's corps arrived upon the scene of battle late in the afternoon. Fitz-John Porter never came into

action, though ordered up by Pope. For alleged disobedience of orders in this connection charges were preferred against Porter by Pope. At night both armies rested on the field. The next day, Aug. 30, the battle was renewed. The fiercest fighting took place about 5 o'clock in the afternoon, and on the ground where the battle of Bull Run had been fought July 21, 1861. The result was a victory for the Confederates under Lee and the defeat of Pope's army. The loss of the Federals was about 15,000, that of the Confederates about 8,400. This battle is also called the Second Battle of Manassas.

Guadalupe Hidalgo, Treaty of.—Named from the Mexican village where Nicholas P. Trist, on behalf of the United States, Feb. 2, 1848, signed the treaty with Mexico (IV, 573) terminating the war and ceding territory now comprising Nevada, Utah, most of Arizona, a large part of New Mexico, parts of Colorado and Wyoming, and all of California to the United States and accepting the Rio Grande as the boundary between Mexico and Texas. The United States agreed to pay Mexico \$15,000,000 (IV, 587) and to assume the claims of its citizens against Mexico arising before the treaty. Mexicans in the ceded territory were allowed to remain at their option and were assured protection as citizens.

Guadalupe Hidalgo, Treaty of:
Abrogation of eleventh article of, referred to, V, 238.

Amendments to, discussed, IV, 679.

Claims arising out of, V, 100, 238.

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Fraudulent claims arising under, V, 147.

Proclamation regarding, IV, 627.

Ratifications of, exchanged at Querétaro, IV, 587.

Referred to, V, 7, 13, 27, 28, 42, 87, 100, 129, 169, 211, 232, 370, 393.

Guadeloupe:

Extraordinary commission of, apply to Congress for aid, I, 151.

Tonnage on American vessels at, referred to, II, 560.

Vessels of, duties on, suspended by proclamation, VIII, 742.

Guam, Island of, cable communication with, recommended, X, 129.

Release of prisoners on, X, 553.

Guano:

Claim of American citizens to, on Alta Vela Island, VI, 629.

Deposits of, on Arcas Cays, IX, 244.

Discovery of, in Jarvis and Baker Islands referred to, V, 486.

Importation of, from Peru—

Desired, V, 83, 212, 231.

Negotiations regarding, V, 231.

Referred to, V, 487, 537.

Guantanamo (Cuba), Battle of.—As a preliminary step to the capture of Santiago, June 10, 1898, a force of 600 American marines, under the protecting fire of the *Oregon*, *Marblehead*, *Dolphin*, *Yankee*, *Yosemite*, *Porter*, and *Vixen*, was landed at Guantanamo Bay, on the south coast of Cuba, 35 miles east of Santiago, where it had been decided to establish a naval station. This important point was taken after a severe bombardment, and the position so won was held by the marines, assisted by 50 Cuban allies, despite desperate attempts to dislodge them. Seven

Guantanamo (Cuba), Battle of—Continued.

Americans (including Surg. John B. Gibbs) were killed and 8 wounded, and 2 Cubans were killed and 4 wounded while holding Guantanamo prior to the arrival of Gen. Shafter's army. The enemy's loss was much greater, 40 of their dead being left on the field. Seventeen prisoners were taken. After several naval demonstrations on the north coasts of Cuba and Puerto Rico it became evident that well-ordered land operations were indispensable to the reduction of the forts. Accordingly a land force of 15,738 men, under Gen. W. R. Shafter, sailed from Tampa, Fla., June 14, and by the 24th had landed at Daiquiri, near Guantanamo. The landing was assisted by Cubans under Gen. Garcia. Little resistance was encountered from the Spaniards.

Guantanamo Bay, Cuba, landing of American marines and subsequent fighting at, discussed, X, 92.

Guatemala.—A Republic of Central America. It is bounded on the north by Mexico, on the east by Honduras, on the south and southeast by Salvador, and on the west and southwest by the Pacific Ocean. It is a mountainous country. The soil is extraordinarily fertile, sugar, tobacco and bananas are largely grown, but the chief product is coffee. There is great mineral wealth but is, as yet, entirely unexploited. The country is divided into 22 departments. The executive is vested in a President and legislative in a National Assembly. Roman Catholicism is the prevailing religion. Area, about 49,000 sq. miles; population (1900), 1,647,300.

Guatemala:

Boundary dispute with Mexico, VIII, 40, 129, 215.

Arbitration of, submitted to United States minister, IX, 634; X, 40.

Diplomatic relations with, VII, 610.

Fugitive criminals, convention with, for surrender of, VII, 113; VIII, 538, 594, 614.

Minister of United States to, action of, regarding seizure of Gen. Barrundia on the *Acapulco* and subsequent recall of, discussed, IX, 109.

Papers regarding, transmitted, IX, 130.

Political affairs of, referred to, IX, 438.

Relations with, VIII, 80.

Tariff laws of, evidence of modifications of, proclaimed, IX, 281.

Discussed, IX, 312.

Treaty with, transmitted and discussed, V, 34; VII, 113; VIII, 538, 594, 614.

Extension of time for ratification of, recommended, V, 150.

War in Central America caused by, discussed, VIII, 326.

War with Salvador, IX, 108.

Guerra, Jesus, demand of Mexico for extradition of, refused, X, 108.

Guerrero, Don José, mentioned, V, 34.

Guerrière, The, capture and destruction of, by the *Constitution*, I, 517.

Guest, John, thanks of Congress to, recommended, VI, 76.

Guiana, British. (See British Guiana.)

Guilford Court-House (N. C.), Battle of.—The American army, when arranged for battle at Guilford Court-House, N. C., Mar. 15, 1781, consisted of 4,404 men, including 1,490 regular infantry and 161 cavalymen, under command of Gen. Greene. The remainder

were raw militia. Cornwallis's army was not more than 2,200 strong. The conflict lasted 2 hours, and the Americans were repulsed after having killed or wounded nearly one-third of the British army. Cornwallis and Leslie were the only British general officers not wounded. The exact number of British killed and wounded was officially reported at 544. The total American casualties were reported as 1,311. Lord Cornwallis retreated after the battle to the coast. Pitt and other great leaders in Great Britain regarded this engagement as the precursor of ruin to British supremacy in the South.

Guiteau, Charles, President Garfield assassinated by, VII, 13.

Gulf of Mexico. (See Mexico, Gulf of.)

Gun Factory for Army, establishment of, at Watervliet Arsenal, N. Y., discussed, VIII, 789.

Gun-Foundry Board:

Appointed in 1890, report of, transmitted, IX, 130, 132.

Discussed, VIII, 210, 246.

Referred to, VIII, 211, 262.

Gun Manufactory, erection of, recommended, III, 391, 497.

Gunboats. (See Vessels, United States.)

Gunnison Forest Reserve, proclaimed, XI, 909.

Gurovits, Odon, report of, on Navajo Indians transmitted, IX, 347.

Gutte, Isidore, claim of, to vessel condemned by Salvador and subsequently presented to United States, VIII, 403.

Guyse, George W., act granting pension to, vetoed, VIII, 447.

Gwin, Samuel, register of land office:

Nomination of, and reasons therefor, II, 574, 607, 635.

Official conduct of, charges affecting, III, 228.

Gwin, William M.:

Immigration plans of, referred to, VI, 373.

Mentioned, V, 32.

H

Habeas Corpus.—In law a writ issued by a judge or court requiring the body of a person restrained of liberty to be brought before the judge or into the court, that the lawfulness of the restraint may be investigated and determined. The writ of *habeas corpus* is one of the chief bulwarks of civil liberty, being perhaps the best security against the grosser forms of tyranny ever devised. Its foundation is in the Magna Charta of England. The power to suspend it is naturally a subject of the gravest importance. The Constitution of the United States, Article, I, section 9, provides: "The privilege of the writ of *habeas corpus* shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it." The writ has been suspended many times in England. It was suspended in Rhode Island by State authority during Dorr's Rebellion. July 5, 1861, Attorney-General Bates gave an opinion in favor of the President's power to suspend the writ. Mar. 3, 1863, Congress approved this opinion, and thereafter many arrests were made for disloyal practices. Sept. 24, 1862, the suspension of the writ was made general

Habeas Corpus—Continued.

so far as it concerned persons arrested by military officers for disloyalty. In 1866, in the case of Milligan, arrested in Indiana in 1864 and sentenced to death by a military tribunal, the Supreme Court, having been appealed to, decided that the privilege of the writ could not be suspended in districts where the action of the civil courts was not interrupted, except that military commissioners might be given jurisdiction to try residents of rebellious States, prisoners of war, and persons in the military and naval services. Milligan, being a civilian, was exempt from the laws of war and could only be tried by a jury. (See also Merryman Case; Milligan Case.)

Habeas Corpus:

Authority given by President Lincoln to suspend writ of, VI, 16, 17, 18, 19, 39, 99, 112, 121.

Referred to, VI, 24.

Suspension of writ of, by President Lincoln, VI, 98, 170, 219.

Revoked as to certain States by President Johnson, VI, 331, 333.

Suspension of writ of, in South Carolina by President Grant, VII, 136, 139.

Revoked as to Marion County, VII, 138.

Hagerman, Mary J., act granting pension to, vetoed, VIII, 476.

Hague Conference, first peace conference, X, 440.

Proposal for convening a second conference X, 831; XI, 1149.

Hague, The, International Statistical Congress at, referred to, VII, 128.

Hague Tribunal, Arbitration of Venezuelan cases before, X, 849.

Mexican disputes referred to, X, 536.

Hail Columbia.—A popular national song written by Judge Joseph Hopkinson, of Philadelphia, in 1798, when war with France seemed imminent. The air to which Mr. Hopkinson's words are sung, and indeed for which they were expressly written, was first known as General Washington's March and later as The President's March. It was composed by Prof. Feyles, leader of the orchestra of the John Street Theater, New York, in 1789, and played when Washington went to New York to be inaugurated President. The song was first sung by an actor named Fox in a Philadelphia theater, and immediately became a great favorite.

Hains, Peter C., mentioned, XI, 1178.

Haiti.—An island of the Greater Antilles, and next to Cuba the largest of the West Indian islands. It is divided politically into the Republics of Haiti and Santo Domingo. It is separated from Cuba by the Windward Passage. Haiti was discovered by Columbus in 1492. The first Spanish colony in the New World was established on the island in 1493. Area of whole island, about 28,250 sq. miles; population, estimated, 1,380,000. The Republic of Haiti occupies the western portion of the island of Haiti. The executive is vested in a President, chosen for 7 years, and a legislature, comprising a Senate and Chamber of Representatives. The religion is nominally Roman Catholic. Haiti has suffered continually from revolutions. The industries are entirely agricultural, the chief product being

coffee of excellent quality. The export trade is almost crippled by exorbitant export duties, and little development, either in commerce or agriculture, is the result. Area of Republic of Haiti, 10,204 sq. miles; population, 90 per cent. of which is black (1894), 1,210,625.

Haiti:

Claims of United States against, III, 640; IV, 214; V, 227; VIII, 78, 129, 333, 535, 784; IX, 667, 668.

Award referred to, VIII, 538.

Settlement of, X, 107.

Correspondence with, transmitted, IX, 475.

Diplomatic intercourse with, provision for, recommended, VIII, 129.

Duties imposed upon American products by, retaliatory measures proclaimed, IX, 267.

Fugitive criminals, convention with, for surrender of, VI, 258.

Imprisonment of American citizens by, VI, 631; VIII, 78, 333, 535, 538, 784; IX, 437, 667.

Independence of, recognition of, by United States recommended, VI, 47.

Instructions to naval officers in command on coast of, referred to, VII, 69.

Insurrections in, discussed, VIII, 237, 333, 783; IX, 36.

Mission to, elevation of, recommended, IX, 33.

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Recognition of, by United States referred to, IX, 36.

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Social condition of, discussed, VI, 687.

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Vessels of United States seized or interfered with by, V, 144; VIII, 783, 805.

Vessels refused clearance by, discussed, IX, 437.

Haiti, Island of. (See Haiti; Santo Domingo.)

Haldeman, Francis W., act for relief of, reasons for applying pocket veto to, VIII, 485.

Hale, C. H., treaty with Indians concluded by, VI, 202.

Hale, W. J., claim of, against Argentine Republic, VIII, 219.

Halifax Commission.—A commission consisting of representatives of the United States and Great Britain which met in 1877 at the city of Halifax, Nova Scotia, to decide what amount should be paid by the former country for the fishing privileges granted its citizens by the treaty of 1871. Great Britain and the United States each named one of the commissioners and the third was named by Austria. The Canadians insisted that the concessions granted to citizens of the United States by that instrument were much more valuable than those obtained by themselves in the reciprocal privileges given them by it. The commission decided that the United States Government should pay the sum of \$5,500,000, and Congress appropriated that amount with the proviso that the articles in the treaty relating to fisheries ought to be terminated at the earliest period consistent with other provisions of the same treaty. These articles were terminated on July 1, 1885, and three years later a new treaty was negotiated but was rejected by the United States Senate on August 21, 1888. Since then the question has been in abeyance under a *modus vivendi*.

Halifax, Nova Scotia:

American prisoners of war in, I, 522.

Fishery Commission held at, under treaty of Washington referred to, VII, 467, 483, 485, 486.

Award of commission and appropriation for, discussed, VII, 496. (See also Geneva Tribunal.)

Hall, Allen A., mentioned, IV, 353.

Hall, Benjamin F., compensation to, discussed, V, 96.

Hall, Charles F., publication of second edition of Second Arctic Expedition made by, suggested, VIII, 79.

Hall, Cyrenius, losses sustained by, II, 562.

Halleck, Henry W.:

Lieutenant in Engineer Corps, report of, on means of national defense, IV, 360.

Major-general—

Assigned to command of Department of Mississippi, VI, 111.

Assigned to command of land forces of United States, VI, 116.

Relieved from command and assigned to duty as chief of staff, VI, 234.

Halpine, William G., Fenian prisoner, release of, referred to, VII, 160.

Halteman, Henry, act for relief of, vetoed, IX, 575.

Ham, John D., act for relief of, vetoed, VIII, 421.

Hamburg (see also Germany):

International Agricultural Exhibition to be held in, referred to, VI, 147, 197.

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International Polar Congress at, referred to, VII, 583.

Minister of, received in United States, II, 383.

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Discriminating duties on, suspended, II, 38.

Hamburg, S. C., slaughter of American citizens in, referred to, VII, 375.

Hamed, Mahommed, treaty between Turkey and United States concluded by, II, 530.

Hamer, Thomas L., mentioned, IV, 565.

Hamilton, Alexander, commissioner of land titles in East Florida, report of, transmitted to the House by President Monroe, II, 243.

Hamilton, Andrew J., provisional governor of Texas, appointed, with authority to arrange and direct a convention of delegates to be chosen by only loyal citizens of the State and by none others, VI, 321.

Hamilton, Charles S., brevet second lieutenant, promotion of, to second lieutenant recommended, IV, 446.

Hamilton, David W., act granting pension to, vetoed, VIII, 422.

Hamilton, James A., correspondence regarding northeastern boundary. (See Northeastern Boundary.)

Hamilton, Sarah, act granting pension to, vetoed, VIII, 566.

Hamlin, Hannibal, death of, announced and honors to be paid memory of, IX, 174.

Hamm, John, papers regarding character and qualifications of, transmitted, II, 476.

Hammond, Samuel, colonel commandant, commissioned, I, 376.

Hampton Normal Agricultural Institute, Indians to be educated at, VII, 503.

Hampton Roads (Va.), Battle of.—One of the most celebrated maritime conflicts known to

history. Aside from the dramatic interest that surrounds the battle of Hampton Roads, it is important from the fact that it marks the transition from the old to the new style of naval warfare, the passing of the ancient wooden frigate and the advent of the modern navy. When the navy-yard at Norfolk was seized by the Confederates in April, 1861, they found the steam frigate *Merrimac* (40 guns) scuttled and sunk. She was afterwards raised and her deck covered with a slanting roof made of 3 layers of iron, each 1¼ inches thick. This armor extended 2 feet below the water line and rose 10 feet above. The bow was provided with a ram. Her armament consisted of eight 11-inch guns, 4 on each side, and a 100-pounder rifled Armstrong gun at each end. She was then named the *Virginia*. About noon Mar. 8, 1862 she came down the Elizabeth River under command of Commodore Franklin Buchanan, who had been an officer in the United States Navy. The sloop of war *Cumberland*, 24 guns and 376 men, stood athwart her course and opened fire. The projectiles of the *Cumberland* from thirteen 9 and 10 inch guns struck the oncoming monster and glanced from her armor. Advancing with all her speed in the face of 6 or 8 broadsides, the massive hulk of iron rammed her prow into the *Cumberland* just forward of the main chains and instantly opened fire from every gun that could be brought to bear. The *Cumberland* sank in 54 feet of water, her flag flying, and guns firing as she went down, taking with her over 100 dead, sick, and wounded of the crew. The *Merrimac* (*Virginia*) then turned her attention to the *Congress*. One shot killed 17 men at one of the latter's guns. When the flag of surrender was run up only 218 survived of a crew of 434 men. At 7 o'clock in the evening the ironclad retired behind Sewells Point. Next morning (Sunday, Mar. 9) she approached the *Minnesota*, which had grounded on a bar. Before getting near enough to deliver a shot a strange-looking vessel, called the *Monitor*, commanded by Lieut. John L. Worden, stood across her path. The *Merrimac* proceeded and sent a shell toward the *Minnesota*. The answer was 2 shots from the 11-inch guns in the revolving "cheese box," which the turret of the *Monitor* resembled. The effect of these was to attract the undivided attention of the *Merrimac*. Rising only 10 feet out of the water, the *Monitor* was not a tempting mark, and the shot that did strike glanced off harmlessly. For the most part the shot flew over the low deck. Five times the *Merrimac* tried to run down the *Monitor*, and at each attempt received the fire of her 11-inch guns at close quarters. After having been twice aground and receiving 2 broadsides from the *Minnesota*, the *Merrimac* withdrew from the conflict, badly disabled and almost unmanageable. On the *Merrimac* 2 men were killed and 19 wounded. Lieut. Worden was injured. (See also *Merrimac*, *The*; *Monitor*, *The*.)

Hampton Roads, Va.:

* Conference at, discussed and correspondence regarding restoration of peace, VI, 260.

Monitor-Merrimac naval engagement in, VI, 112.

Tercentenary of settlement at Jamestown, to be celebrated at, X, 821, 873; XI, 1164.

- Hancock, John**, governor of Massachusetts, letter of, regarding eastern boundary transmitted, I, 73.
- Hancock, Winfield S.**:
 Death of, announced and honors to be paid memory of, VIII, 492.
 Department of South merged in Department of East under command of, VIII, 167.
 Ordered to execute sentence of military court in case of assassins of President Lincoln, VI, 348.
 Patriotic conduct of, recognition of, by Congress recommended, VI, 595.
- Hand, Ellen**, act granting pension to, vetoed, VIII, 823.
- Handy, Moses P.**, special commissioner to Paris Exposition, death of, referred to, X, 104.
- Hanging Rock (S. C.), Battle of.**—On the evening of Aug. 6, 1780, Col. Sumter, with a force of 150 men, attacked the British post at Hanging Rock, a large boulder jutting out from the high bank of the Catawba River, in South Carolina, 11 miles from Rocky Mount. A body of North Carolina refugees under Col. Bryan fled upon the approach of Sumter, but the Prince of Wales Regiment defended the post for 4 hours and was almost annihilated, the British loss aggregating 269. The American loss was 12 killed and 41 wounded.
- Hanks, John F.**, act for relief of estate of, vetoed, VII, 170.
- Hannen, Sir Nicholas John**, arbitrator of Cheek claim against Siam, X, 111.
- Hanover**:
 Exequatur issued consul of, revoked, VI, 511.
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 Vessels of, discriminating duties on, suspended by proclamation, II, 404.
- Hanover Court-House (Va.), Battle of.**—May 24, 1862, while McClellan's army was advancing up the peninsula toward Richmond, Gen. Fitz-John Porter was sent with 12,000 men to Hanover Court-House, 17 miles north of Richmond, to meet and facilitate the advance of McDowell's corps, which was to join McClellan by way of Fredericksburg. Here, May 27, Porter met and defeated the Confederates under Gen. Branch. The Federal loss was 397; that of the Confederates between 200 and 300 killed and 730 taken prisoners. McDowell was recalled and Porter returned to his former camp at Gaines Mill.
- Hans, The**, appropriation to owners for detention of, recommended, X, 73, 111, 232.
- Hanson, Grafton D.**, restoration of, to rank in Army recommended, IV, 518.
- Harbaugh, Sarah**, act granting pension to, vetoed, VIII, 446.
- Harbor Island** referred to, X, 519.
- Harbors.** (See Rivers and Harbors.)
- Hardee, William J.**, major by brevet, nomination of and reasons therefor, IV, 593.
- Harden, Simmons W.**, act granting pension to, vetoed, VIII, 426.
- Hardy, James G. W.**, act for relief of, vetoed, VIII, 679.
- Hargous, P. A.**, mentioned, V, 106.
- Harkins, Mary F.**, act granting pension to, vetoed, VIII, 678.
- Harlem Heights (N. Y.), Battle of.**—After Washington had successfully withdrawn the American troops from Long Island he proceeded to strengthen and fortify his lines at Kings Bridge, on Harlem Heights, Sept. 15, 1776, the British ships in the East River landed a small force at Kips Bay, and on the 16th Gen. Howe sent a regiment and 2 battalions of infantry to dislodge the Americans. The British were driven back with a loss of nearly 200 in killed and wounded.
- Harlem River, N. Y.**, navigation of, report of coast survey on the possibility and expense of rendering navigable for commercial purposes, V, 589.
- Harmon, Judson**, Attorney-General, order to, respecting indebtedness of Pacific railroads, IX, 80r.
- Harney, William S.**:
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 Report of, on, VI, 699.
 Stipulations with, recommendations regarding, V, 379.
 Visit of, to San Juan Island discussed, V, 562.
- Harper, Mr.**, treaty with Indians concluded by, referred to, V, 156.
- Harpers Ferry (Va.), Capture of.**—After Stonewall Jackson was detached from Lee's army in Maryland he recrossed the Potomac at Williamsport Sept. 12, 1862, and proceeded down the Virginia side of the river to Harpers Ferry. Sept. 13 he occupied Loudoun Heights and on the 14th Maryland Heights, meeting with but little opposition. On the night of the 14th Col. Davis with 2,000 cavalry crossed the river between the Confederate forces and escaped. Jackson opened fire on the garrison on the evening of the 14th and continued on the morning of the 15th until Col. Dixon S. Miles, mortally wounded, surrendered 11,583 men, 73 guns, 13,000 small arms, 200 wagons, and large quantities of supplies. The killed and wounded on the Union side numbered 217, while the Confederates sustained no loss.
- Harpers Ferry, Va.**, insurrection at, discussed, V, 553.
- Harrell, Abram**, thanks of Congress to, recommended, VI, 76.
- Harrigan, Mrs. F. L.**, mentioned, X, 796.
- Harriman, David B.**, treaty with Indians concluded by, V, 296.
- Harrington, Edward M.**, act for relief of, vetoed, VIII, 471.
- Harris, Thomas M.**, member of court to try assassins of President Lincoln, etc., VI, 336.
- Harris, Townsend**, treaty with Japan concluded by, V, 481.
- Harris, William T.**, claim of, to property withheld by Brazilian Government, VI, 701.
- Harrisburg Convention.**—The high-tariff woolen bill of 1827 passed the House of Representatives, but was rejected in the Senate by the casting vote of the Vice-President. The protectionists thereupon called a convention to meet at Harrisburg, Pa., the following year. This body was made up mainly of delegates from the New England and Middle States. It presented the idea of protection to the people and decided to ask for an increased duty upon woollens and also upon other manufactured articles. The

Harrisburg Convention—Continued.

activity of the delegates to this convention and the sentiment aroused resulted in the passage of the high-tariff law of 1828, which its enemies nicknamed "The bill of abominations."

Harrison, Anna, resolution of Congress on death of husband transmitted to, IV, 55.
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Harrison, Benjamin (twenty-third President United States):

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Harrod, Benjamin H., canal commissioner at Panama, XI, 1178.

Hartford Convention.—Hartford, Conn., has been the scene of two historic conventions with almost opposite purposes. In the autumn of 1780 delegates from all the Northern States assembled there to devise means to strengthen the financial system of the Federal Government and to raise and equip troops for the prosecution of the War of Independence. A second convention was held there Dec. 15, 1814–Jan. 5, 1815, and had for its object the denunciation of the war with Great Britain. It consisted of delegates from Massachusetts, Connecticut, Rhode Island, New Hampshire, and Vermont, and was held behind closed doors. The New England Federalists were much opposed to the War of 1812, as it wrought great damage to their commercial interests. They denounced the policy of the Government in drafting men for the Army and demanded reforms in the direction of States' rights. Having been accused of an attempt to disrupt the Union, the convention denied "any present intention to dissolve the Union," but admitted that "if a dissolution should become necessary by reason of the multiplied abuses of bad administration it should, if possible, be the work of peaceable times and deliberate consent." It laid down the general principle that "it is as much the duty of the State authorities to watch over the rights reserved as of the United States to exercise the powers that are delegated." The resolutions of the convention were indorsed by the legislatures of Connecticut and Massachusetts and pressed upon Congress. No attention was there paid to them. They are of interest as showing that secession was contemplated in New England at an early date in our history. The strength of the Federalist party in the States where it had been strongest began to wane after the holding of this convention.

Hartmount, E. Hertzberg, Dominican consul-general in London, mentioned, VII, 63.**Hartman, John F.:**

- Member of Cherokee Commission, death of, referred to, IX, 46.
- Special provost-marshal in trial of persons implicated in assassination of President Lincoln, appointed, VI, 334.

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Northwestern boundary. (See Northeastern Boundary.)

Harvey, Thomas H., treaties with Indians concluded by, IV, 423, 454.

Hatch, Davis, imprisonment of, by Dominican Republic referred to, VII, 50, 59.

Hatch, Edward, brigadier-general, nomination of, referred to, VI, 202.

Hatchers Run (Va.), Battle of.—Oct. 27, 1864, in an attempt to seize the South Side Railroad and get nearer Richmond, the Second Army Corps, under Hancock, and 2 divisions of the Fifth Corps forced a passage of Hatchers Run, the termination of the Confederate works on the right, and moved up on the south side of it to the point where the run is crossed by the Boydton plank road. In support of the movement Butler made a demonstration on the north side of the James River and attacked the Confederates on both the Williamsburg and York River railroads. The Confederates moved across Hatchers Run and made a fierce attack upon Hancock, but were driven back into their works. During the night Hancock retired to his old position, having lost 1,900 men, one-third of whom were missing. Feb. 5, 1865, Grant made another attempt to turn the Confederate lines at Hatchers Run. The only gain was an extension to the westward of the Federal lines. The losses in the attempt were 2,000 on the Federal and about 1,000 on the Confederate side.

Hatteras Expedition.—Aug. 26, 1861, an expedition against forts Hatteras and Clark was sent out from Fortress Monroe under Commodore Stringham and Gen. Butler. The naval force consisted of the *Minnesota* and 4 other vessels and transports and the land force of about 900 men. Fort Clark was occupied on the 27th without serious opposition. On the morning of the 28th bombardment of Fort Hatteras began, and on the 29th at eleven o'clock the fort surrendered. Butler occupied the works with his land forces. Capt. Barron and 615 prisoners were sent north on the flagship *Minnesota*. Twenty-five pieces of artillery, 1,000 stand of arms, and a large quantity of ordnance stores, provisions, etc., fell into the hands of the victors.

Haupt, Herman, chief of construction and transportation in Department of Rappahannock, VI, 113.

Havana, Cuba (see also Cuba):

- Destruction of the *Maine* in harbor of, X, 52, 65, 83.
- Findings of court of inquiry discussed, X, 52, 65.
- Number of lives lost in, report on, X, 71.
- Proposition of Spain to investigate causes of, referred to, X, 65.

Hawaiian Islands.—A group of islands in the North Pacific Ocean. The principal islands are Hawaii, Maui, Oahu, Kauai, Lanai, Kahului, Molokai, and Niihau. They are mountainous and volcanic. The chief exports are sugar, rice, coffee, hides, bananas, and wool. About one-fourth of the inhabitants are Hawaiians, and one-half Chinese and Japanese, the remainder are Caucasians, Americans and Portuguese predominating. The islands were discovered in 1542. The government was formerly a monarchy, but the last ruler, Queen Liliuokalani, was deposed on January 17, 1893. A government was formed with Sanford B. Dole at the head, and a treaty of annexation was then concluded with President Harrison. Before

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it could be ratified by the Senate, President Cleveland was inaugurated; he, at once, withdrew it and sent James H. Blount as special commissioner to investigate the affairs of the islands. The restoration of the Queen was attempted, but failed, mainly because she refused to grant an amnesty. On July 4, 1894 a Republic was proclaimed with Mr. Dole as its president. During President McKinley's first term, another treaty of annexation was sent to the Senate, but, pending its consideration, a joint resolution passed Congress annexing the islands. The resolution was approved on July 7, 1898 and the formal annexation occurred on August 12 of the same year. The islands were constituted the Territory of Hawaii in June, 1900, and by act of April 30 of the same year citizenship of the United States was bestowed on all citizens of the former Republic of Hawaii; territorial franchise has been given to those who had been resident in the territory for one year, provided they were able to read and write the English or Hawaiian language. Area, 6,049 sq. miles; population (1900), 154,001.

Hawaiian Islands:

- American policy in, X, 436, 651, 829; XI, 1176.
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- Action of American minister regarding, discussed by President Cleveland, IX, 441, 460.
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 - McKinley, X, 107.
- Dispatch of Henry A. Pierce regarding, VII, 131.
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 - Treatment of American citizens and action of United States Government discussed, IX, 633.
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 - Visit of, to United States, VIII, 43.
- Lease of station to Great Britain by, for submarine telegraph cable, recommendation regarding, IX, 559.
- Lighthouse establishment in, X, 725.
- Minister of, to United States, recall of, discussed, IX, 633.
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 - Provisional Government recognized by, discussed by President Cleveland, IX, 441, 460.
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 - Surrender of sovereignty by, discussed, IX, 471.
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- Hawes, Susan**, act granting pension to, vetoed, VIII, 483.
- Hawkins, Benjamin:**
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 - Lands donated to, by Indians as mark of gratitude, I, 570.
 - Treaty with Indians concluded by, I, 210.

- Hawkins, Edgar**, captain in Army, mentioned, IV, 517.
- Hawley, Giles C.**, act to pension, vetoed, VIII, 448.
- Haworth, J. D.**, act granting pension to, vetoed, VIII, 425.
- Hay, John**, Secretary of State, X, 267.
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- Hay.** (See Agricultural Products.)
- Hay-Herran Treaty**, terms of, X, 680, 681.
- Hay-Pauncefote Treaty**, terms of, X, 680.
- Hayes, Rutherford B.** (nineteenth President United States):
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- Reconstruction of Southern States discussed by, VII, 442, 458, 493.
- Special session messages of, VII, 452, 520.
- State of the Union discussed by, VII, 458, 492, 557, 601.
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- Refunding national debt, VII, 637.
- Regulation of pay and appointments of deputy marshals, VII, 592.
- Relief of Joseph B. Collins, VII, 544.
- Restricting Chinese immigration, VII, 514.
- Haymarket Riot.**—A riot which took place at Haymarket Square, Chicago, May 4, 1886, involving the police and a number of anarchists. An open-air meeting, in which certain labor troubles were under discussion, was in progress. The police attempted to break up the meeting because of the inflammatory utterances of some of the speakers. In the fight which ensued a bomb was thrown and 7 policemen were killed and 60 wounded. Albert R. Parsons, August Spies, Adolph Fischer, George Engel, Michael Schwab, Louis Lingg, Samuel Fielden, and Oscar W. Neebe, prominent anarchists, were arrested and tried for complicity in the outrage. The case attracted universal attention and resulted in the hanging of the first four Nov. 11, 1887. Lingg escaped the gallows by committing suicide in prison. Fielden and Schwab were sentenced to imprisonment for life and Neebe for 15 years. They were pardoned by Governor Altgeld in 1893.
- Hayne, Isaac W.**, bearer of letter from Governor Pickens to President Buchanan, V, 664.
- Hayti.** (See Haiti.)
- Haitien Republic, The**, seizure and delivery of, referred to VIII, 805.
- Hazel, John R.**, mentioned, X, 416.
- Hazen, Allen**, mentioned, X, 634.
- Hazen, William B.**, member of board to consider expeditions to be sent for relief of Lady Franklin Bay Expedition, VIII, 226.
- Head, Lafayette**, treaty with Indians concluded by, VI, 192.
- Health, Board of.** (See National Board of Health.)
- Health, Public.** (See Quarantine Regulations.)
- Heap, Samuel D.**, convention with Tunis signed by, II, 264.
- Heckler, Elizabeth**, act granting pension to, vetoed, VIII, 739.
- Heine, William**, consular clerk, removal of, and reasons therefor, VII, 156.
- Heiny, Lydia A.**, act granting pension to, vetoed, VIII, 704.
- Helderberg War.**—Demonstrations made at various times between 1839 and 1845 by the Anti-Renters of Albany, Rensselaer, Columbia, Greene, Delaware, Schoharie, and Otsego counties, N. Y., and the efforts of the State government to suppress them. Large tracts of land in these counties had been granted by the Government of Holland to the early Dutch settlers or patroons. The patroons sublet the land in perpetuity to tenants who agreed to pay the rent in produce. On the death of Stephen Van Rensselaer in 1839 his tenants, who had long been dissatisfied, refused to pay his successor the rent. Men disguised as Indians terrorized the region. A sheriff and posse who attempted to collect the rents were outnumbered and their efforts proved futile. In 1844 there was again armed opposition to the payment of rent. In 1845 an officer named Steele was shot while trying to collect rent in Delaware County. Governor Wright proclaimed the county in a state of insurrection. Two persons were

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convicted and sentenced to death for this murder, but they were afterwards pardoned. The court of appeals in 1852 rendered a decision which in the main sustained the tenants and practically ended the movement.

Helena (Ark.), Assault on.—To strengthen the army before Vicksburg, Grant had withdrawn troops from all the neighboring posts. Helena, Ark., was left in charge of 3,800 men under Gen. B. M. Prentiss. June 26 the Confederate Generals T. H. Holmes and Sterling Price left Little Rock with about 8,000 men to surprise and capture the place. July 4, 1863, the day Vicksburg surrendered, they made an assault on one of the batteries with 3,000 men. They were repulsed with a loss of 1,111 men. Four regiments then attacked a fort on Hindman Hill, but were defeated. A third assault was made by Marmaduke, with 1,750 men, upon a fort on the north side of the place, but was likewise repulsed with a loss of one-fifth of the assailants. The Confederate loss was officially reported as 173 killed, 687 wounded, and 776 missing—in all, 1,636. The Federal loss did not exceed 250 in all.

Hell Gate Forest Reserve, proclaimed, XI, 1123.
Hemp, Russian, import duties on, referred to, VII, 36.

Hempstead, Christopher, consul at Belize, British Honduras, mentioned, V, 36.

Hendricks, Thomas A., Vice-President, death of, announced and honors to be paid memory of, VIII, 319, 320, 324.

Henrick, The, indemnification for loss of, claimed, I, 356, 377; II, 65.

Henry, B. H., report of agent to Fiji Islands to investigate claim of, transmitted, IX, 666.

Henry, J. A., act for relief of, reasons for applying pocket veto to, VIII, 487.

Henry, John, alleged secret agent of Great Britain in United States for fomenting disaffection, I, 498.

Henry, Newport F., mentioned, X, 633.

Henry, Patrick, minister to France, nomination of, I, 284.

Henry of Prussia, Prince, reception of, in U. S., X, 521.

Henry Crosby, The, fired upon at Azua, Santo Domingo, IX, 663.

Henrys Lake Forest Reserve, proclaimed, XI, 949.

Hensley, Elijah P., act granting pension to, vetoed, VIII, 436.

Hepburn vs. Griswold.—One of the Supreme Court cases involving the constitutionality of the issue of United States legal-tender notes. June 20, 1860, Mrs. Hepburn promised to pay Mr. Griswold \$111,250 on Feb. 20, 1862. At the time gold and silver only were legal tender. Feb. 25, 1862, the United States issued \$150,000,000 of its own notes, to be received as lawful money in payment of all debts, public and private, within the United States. This was 5 days after the note became due. Mrs. Hepburn in March, 1864, after suit had been brought, tendered these notes in payment, and they were refused. The notes were then tendered and paid into court in Louisville, Ky. The Louisville court of chancery declared the debt absolved. The Kentucky court of errors and appeals reversed the chancellor's judgment, and the United States Supreme Court at the December term, 1867, affirmed the judgment of the court of errors and appeals. This

ruling was afterwards reversed. (See *Juilliard vs. Greenman*.) Chief Justice Chase, in delivering the opinion of the court said: "We can not doubt that a law not made in pursuance of an express power, which necessarily and in its direct operation impairs the obligation of contracts, is inconsistent with the spirit of the Constitution." "We are obliged to conclude," he continued, "that an act making mere promises to pay dollars a legal tender in payment of debts previously contracted * * * is inconsistent with the spirit of the Constitution, and that it is prohibited by the Constitution." Justices Miller, Swayne, and Davis dissented.

Hepner, George, treaty with Indians concluded by, V, 207.

Herbert, Michael H., Canadian canal tolls referred to, IX, 243. (See also IX, 240.)

Herbst, Theresa, act granting pension to, vetoed, VIII, 692.

Hering, Rudolph, on committee to report upon sewerage system in District of Columbia, IX, 52, 79.

Hermitage, The.—The name given by Andrew Jackson to his home, situated about 10 miles from Nashville, Tenn., near the Cumberland River. At this place President Jackson died and is buried. The premises and a portion of his farm have become the property of the State of Tennessee and have been converted into a State home for aged indigent or disabled ex-Confederate soldiers.

Hermitage, The, tendered to United States, V, 421.

Hermosa, The, slaves taken from wreck of, and liberated referred to, IV, 211.

Herndon, William L., report of, on exploration of valley of the Amazon transmitted, V, 188, 229.

Hero, The, seizure of, and claims arising out of, VII, 160; VIII, 613; IX, 112, 238, 441, 530.

Award in case of, IX, 638.

Herold, David E.

Implicated in assassination of President Lincoln, proceedings of trial and verdict of military commission, VI, 334, 335, 336, 342, 347, 348.

Persons claiming reward for apprehension of, directed to file claims, VI, 353.

Herran, Pedro A., mentioned, VI, 67, 147.

Herran, Dr. Tomas, correspondence of, concerning Panama, X, 579, 580.

Herrera, Gen. Ben., mentioned, X, 684.

Herschell, Lord, arbitrator in Venezuelan boundary dispute, X, 113.

Hesse, convention with, IV, 316, 357.

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Hesse, Electorate of, exequatur issued consuls of, revoked, VI, 511.

Hester, William H., act granting pension to, vetoed, VIII, 667.

Hewitt, Abram S., commissioner to Paris Universal Exhibition, VI, 600.

Hiar, Royal J., act granting pension to, vetoed, VIII, 665.

Hiatt & Co., relief of, draft of bill for, transmitted, VIII, 534.

Hickey Plot.—A conspiracy headed by Thomas Hickey, one of Washington's Life Guards, to assassinate the general at New York in 1776. The plot was discovered. Hickey was hanged in June, 1776, and David

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Matthews, mayor of New York, was imprisoned for his connection with the affair. Governor Tryon was also suspected of complicity.

Hicks, William, Indian chief, mentioned, III, 56.

Higginson, Francis J., expedition to Puerto Rico conveyed by fleet under, X, 93.

High License.—A term generally used to specify a high tax on the retail sellers of intoxicating liquors. The objects of high license are to increase the price of liquor to some extent, so as to limit its consumption and place its sale on a more respectable basis, and to collect large sums of money for public purposes. Several States have passed high-license laws, and some communities have in addition placed local restrictions on the traffic in intoxicants.

Higher Law.—William H. Seward, while making an antislavery speech in the United States Senate Mar. 11, 1850, in referring to the moral law, declared: "There is a higher law than the Constitution."

Highlander, The, watch to be presented to commander of, by British privy council for services rendered, VI, 199.

Highwood Mountains Forest Reserve, proclaimed, X, 721.

Hile, James A., act for relief of, vetoed, VII, 379.

Hill, Andrew J., act to increase pension of, vetoed, VIII, 415.

Hill, Charles E., claim of, against China referred to, VII, 484; VIII, 214.

Hill, David J., mentioned, X, 522.

Hinely, Lewis, act granting pension to, vetoed, VII, 320.

Hipple, Henry, Jr., act granting pension to, vetoed, VIII, 435.

Hise, Elijah, treaty concluded by, with—Guatemala, V, 34, 150.
Nicaragua, V, 34, 66.

Hitt, Robert B., member of commission to Hawaiian Islands, X, 108.

Hoar, Ebenezer B., member of commission to settle questions with Great Britain, VII, 121.

Hobby James M., first assistant engineer, advancement in grade of, recommended, VI, 210.

Hobkirk's Hill (S. C.), Battle of.—Apr. 25, 1781, Lord Rawdon, with about 950 British, made a sudden attack on the Americans under Greene at Hobkirk's Hill, 2 miles north of Camden, S. C. The American force consisted of 1,446 men. Greene was defeated, but both armies withdrew from the field. The British lost 258 in killed, wounded, and missing. The total casualties on the American side were 271.

Hobson, Richmond P., sinking of the *Merri-mac* in Santiago Harbor, Cuba, by, X, 80, 91. Thanks of Congress to, and promotion of, recommended, X, 81.

Hockaday & Leggett, act for relief of, vetoed, V, 670.

Hodgson, Daniel B., recognition of services of, in battle of Manila Bay, Philippine Islands, recommendations regarding, X, 80.

Hodgson, William B., conduct of, while in Constantinople referred to, IV, 158.

Holcombe, James P., order exempting, from arrest during journey to Washington, VI, 237.

Holden, William W., provisional governor of North Carolina, appointed, VI, 312.

Holidays.—There are no national legal holidays. The States make laws concerning the observance of holidays within their own boundaries, and the United States makes similar laws for the District of Columbia and the Territories. Christmas, Fourth of July, Thanksgiving and Washington's Birthday are, however, practically universally observed. For the observance of Thanksgiving the President annually issues a proclamation. New Year's Day is observed in all States except Massachusetts, Mississippi and New Hampshire. Decoration Day (q. v.) is observed under various names in almost all of the States. Holidays of a religious character are, Good Friday, which is observed in Alabama, Delaware, Louisiana, Maryland, Pennsylvania and Tennessee; and All Saints Day, November 1, which is observed in Louisiana. February 12th, Lincoln's Birthday is observed in Connecticut, Delaware, Illinois, Minnesota, New Jersey, New York, Maryland, Pennsylvania, Washington and Wyoming; and Lee's Birthday, January 19th, in Florida, Georgia, North Carolina, South Carolina, Virginia and Alabama. Election Days are legal holidays in many of the States, and Labor Day (q. v.) the first Monday in September, in most of the States. Many holidays are observed in only one or two of the States. Louisiana, for example, observes January 8th, the anniversary of the Battle of New Orleans, and Mardi-Gras in February. The latter is also observed by Alabama. Texas observes March 2d, the Texan Independence Day, and April 21st, the anniversary of the Battle of San Jacinto. The day of the President's inauguration is a holiday in the District of Columbia; April 19th, Patriots' Day, in Massachusetts; and the 2d Friday in May (Confederate Day) in Tennessee. North Carolina observes the anniversary of the signing of the Mecklenburg Declaration of Independence (q. v.), May 20th; the Montana Public Schools celebrate the last Friday in May as Pioneer Day, while Utah observes July 24th. Vermont celebrates August 16th, the anniversary of the Battle of Bennington, and California, September 9th, Admission Day. Arbor Day is fixed in the different States at various times from February 22d to May 11th; while in other States it is appointed by the governor. Mississippi alone has no statutory legal holidays, but by common consent, the people observe July Fourth, Thanksgiving and Christmas. Kansas by legal enactment observes only Decoration Day, Labor Day and Washington's Birthday.

Holland. (See Netherlands.)

Holland Company, treaty of, with Seneca Indians, I, 347.

Holland Patent.—A grant of land made in 1686 by Governor Dongan, of New York, to 6 Dutch patentees. The land was situate in what is now Orange County, N. Y., and was to be held in free and common socage of King James II.

Hollins, George N., mentioned, V, 227.

Holmes, Theophilus H.

Gallant conduct of, in Mexican War, IV, 520. Major by brevet, nomination of, and correspondence regarding, IV, 519.

Holsey, Robert, act granting pension to, vetoed, VIII, 441.

Holstein-Schleswig War referred to, V, 10.

Holston, Treaty of, referred to, I, 126.

Holt, Joseph:

Judge-advocate in trial of persons implicated in assassination of President Lincoln, VI, 336.

Secretary of War, authorized to perform duties of, V, 659.

Holy Cross Forest Reserve, proclaimed, XI, 1077.

Home Department.—A name given for a time to the office of Foreign Affairs (see Foreign Affairs, Sec. of) which afterward developed into the State Department. The term Home Department was also given for a time to the Interior Department (q. v.).

Home Squadron, proposed extension of duties of, referred to, IV, 276.

Homestead-Exemption Laws.—Legislation enacted by most of the States to secure a home and shelter for a family or individual by exempting, under certain conditions, the residence occupied by the family or individual from liability to be sold for the debts of its owner and by restricting his right of free alienation. The purposes of the homestead-exemption laws are to protect the family, secure to it a home, and to provide against its members being deprived thereof by the misfortune, improvidence, or incapacity of the head of the family. These laws exist in nearly all the States, varying in their terms and limitations. In 15 States homestead exemption is part of the constitution.

Homestead Law.—A law enacted by Congress May 20, 1862. It provided that any citizen might, upon payment of the nominal fee of \$5 or \$10, enter upon and hold any unappropriated quarter section of the public lands valued at \$1.25 per acre or any one-eighth section valued at \$2.50 per acre, and after 5 years' residence become the sole owner. This measure proved of great value in settling the lands of the West.

Homestead Laws (see also Lands, Public, opened to settlement):

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Granting Indians privileges of, recommended, VII, 476, 576.

In relation to proof required in homestead entries vetoed, VII, 429.

To secure homesteads to settlers on public domain vetoed, V, 608.

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Bill to allow Indian homestead entries referred to, VIII, 196.

Confirmation of entries in Michigan referred to, VIII, 78.

Discussed, VI, 362, 453; IX, 49.

Working of, in the West, X, 543.

Honduras.—A Central American Republic. It is bounded on the north and northeast by the Caribbean Sea, on the southeast and south by Nicaragua, on the southwest by Salvador, and on the northwest by Guatemala. It was discovered by Columbus in 1502. The surface is varied by numerous mountain chains, especially in the west, and high open valleys and plateaus. The climate is temperate and healthful in the high altitudes and hot and miasmatic along portions of the coast. The plains support large herds of cattle. The principal exports are, fruits, cabinet woods, hides, and indigo. There are extensive mineral deposits, including gold, coal, silver, platinum, and copper, but lack of capital and labor prevent their develop-

ment. Executive power is vested in a President, elected for 4 years, and the Congress consists of a single house. Honduras has been independent since 1839 and has suffered from frequent political revolutions and the wars of its neighbors, Salvador, Guatemala, and Nicaragua. Spanish is the prevailing language and the principal religion is the Roman Catholic. Area, 46,400 sq. miles; population (1902), 650,000.

Honduras:

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Postal convention with, VIII, 792.

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Report of Thomas C. Reynolds on condition and commerce of, transmitted, VIII, 531.

Ruatan Island, convention of, with Great Britain regarding, V, 422.

Tariff laws of, evidence of modifications of, proclaimed, IX, 279.

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Treaty with, transmitted and discussed, V, 585; VI, 257; VII, 207, 256.

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Seized and used by insurgents in, questions regarding, IX, 437.

Hongkong, consulate at, referred to, VII, 582.

Hood, John B., victories of Federals over Confederate forces under, referred to, VI, 241.

Hooker, Joseph:

Commander of corps in Army, VI, 124.

Ordered to take military possession of railroads, VI, 178.

Hooper, Mary, act granting pension to, vetoed, VIII, 738.

Hoover, Francis E., act granting pension to, vetoed, IX, 672.

Hopkins, George W., chargé d'affaires at Lisbon, Portugal, mentioned, V, 12.

Hopkins, Thomas S., act for relief of, vetoed, VIII, 429.

Hopkinson, Joseph, commissioner to treat with Indians, nomination of, I, 266.

Hornet, The.—An American sloop of war carrying 18 guns, commanded by Capt. Lawrence during the War of 1812. Feb. 24, 1813, near the mouth of the Demerara River, she attacked the British brig *Peacock*, of 18 guns. The *Peacock* was soon in a sinking condition, and struck her colors. Before the wounded could be removed she went down, carrying with her 9 British and 3 American seamen. Mar. 23, 1815, off the Cape of Good Hope, the *Hornet* captured and sunk the British brig *Penguin*, also of 18 guns, the latter losing her commander in the engagement. Shortly after this battle the *Hornet* was chased by the British frigate *Cornwallis*, 74 guns, and only escaped capture by throwing her guns and heavy stores overboard.

Hornet, The, British sloop of war destroyed by, I, 528.

Horse Shoe Bend (Ala.), Battle of.—When Gen. Jackson was informed of the arrival of Creeks in considerable numbers in Tall-

Horze Shoe Bend (Ala.), Battle of—*Continued*

oppose County he resolved to strike a decisive blow. He sent his horse down the Coosa River from Fort Wheeler in Alabama and marched his army against the gathering Indians. Mar. 27, 1812, with 2,000 effective men, he faced with a few many of the warriors at the Horse Shoe Bend of the Tennessee River where 1,200 Indians and one-fourth of whom were women and children had entrenched themselves with an ample supply of food. The army and their Indian allies soon surrounded the camp. The Indians fought desperately. They were attacked in front with cannon and ball, and the torch was applied to their camp in the rear. The battle lasted all day, and in the evening 557 Creek warriors were dead in the little peninsula and some 200 more were killed while trying to escape. The loss to the whites was 32 killed and 75 wounded. The Cherokees lost 18 killed and 36 wounded. Some 300 women and children were taken prisoner. The loss of the Indians was broken by the chief Miamistufford, the chief, appeared personally before Gen. Jackson and offered to surrender. He was permitted to go free and control peace among his people from then.

Horton, Benjamin J., telephone connection in Puerto Rico, VI, 574.

Hospitals—see *Naval Hospital*.
Hot Springs, expedition party against, Washita River, I, 199.

Hot Springs Commission organized, VII, 504.
Hot Springs Reservation, Ark.:

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Condition, occupancy, and area of, referred to, VI, 467.

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Howard, J. E., imprisonment of, by Spanish authorities, referred to, VII, 162.

Houghin, Woodford M., act granting pension to, vetoed, VIII, 591.

Hough, Caroline A., act to increase pension of, vetoed (pocket), III, 761.

Hours of Labor:

Referred to, X, 123.

Uniform course regarding, recommended, III, 602.

Wages of Government employees not to be affected by reduction in, proclaimed, VII, 15, 175.

House of Representatives.—The lower house of the Congress of the United States. The Constitution provides Article I, sections 1 and 2 that "all legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and House of Representatives. The House of Representatives shall be composed of members chosen every second year by the people of the several States. * * * No person shall be a Representative who shall not have attained to the age of twenty-five years and been seven years a citizen of the United States, and who shall not when elected be an inhabitant of that State in which he shall be chosen." Members of the House of Representatives are apportioned among the several States according to pop-

ulation as shown at each decennial census, and are elected by direct vote of the people in Congressional districts fixed by State law. The original proportion was 1 to 30,000; at present it is 1 to 194,762. Each organized Territory is entitled to 1 Delegate in the House of Representatives. Delegates may participate in debate, but may not vote. The sole power of impeachment is given to the House of Representatives, and in the House must originate all general appropriation bills and bills for raising revenue. Members of the House receive a salary of \$7,000 a year, besides mileage. They are privileged from arrest during attendance at the sessions of the House and in going to and returning from the same, and may not be questioned in any other place for any speech or debate in the House. The membership at present (1906) consists of 386 Representatives and 4 Delegates. (See also Apportionment; Congress; Gerrymander.)

House of Representatives. (See Congress.)
Houston, James, district judge, nomination of, I, 402.

Houston, Samuel:

Commander of Texan army, III, 274.

President of Republic of Texas, IV, 319.

How, John, act for relief of estate and sureties of, vetoed, VIII, 564.

Howard, E. A., agent of Ponca Indians, VII, 631.

Howard, John E., legislative acts of Maryland received from, transmitted, I, 71.

Howard, Leon, act for relief of, reasons for applying pocket veto to, VIII, 485.

Howard, Lieut., report of, regarding services of Apache Indians transmitted, IX, 60.

Howard, Oliver O., Commissioner of Freedmen's Bureau:

Directed to effect arrangement between freedmen and landowners, VI, 371.

Report of his observations of the condition of the freed States and of the operations of the Freedmen's Bureau therein, referred to, VI, 373.

Howard, William A., mentioned, V, 664.

Howe, Abner P., members of court to try assassins of President Lincoln, VI, 346.

Howe, Haughwout, records of association founded for purpose of aiding soldiers of Civil War offered to United States, VIII, 211.

Howe, S. D., treaty with Indians concluded by, VI, 202.

Howe, Samuel G., imprisonment of, in France, I, 574.

Howe Timothy O., Postmaster-General, death of, announced and honors to be paid memory of, VIII, 160.

Howison, Henry L., member of Board of Geographical Names, IX, 272.

Hoxey, Mary Minor, act increasing pension of, vetoed, VIII, 591.

Hoyt, Edna K., mentioned, XI, 1128.

Huamantla Mexico, Battle of.—Gen. Lane, set out from Vera Cruz about the 1st of October, 1847, with 2,000 men to reinforce the garrisons there and the City of Mexico. Santa Anna, learning of Lane's approach to Puebla, set out to intercept him with 4,000 men and 6 pieces of artillery. On the night of Oct. 8, 1847, the Mexicans were encamped in the city of Huamantla and Capt. Walker was sent forward with a company of cavalry to give them battle. Walker's cavalry fought desperately in the face of

- Huamantla (Mexico), Battle of**—*Continued.* superior numbers until the arrival of the infantry put the Mexicans to flight, with a loss of 150. Capt. Walker was killed in the fight and of his company of 75 men only 17 were able to keep the saddle at the close of the engagement.
- Hubbard, Commander J.**, report of, on revolution in Panama, X, 690-695.
- Hubbardton (Vt.), Battle of**.—Upon Burgoyne's advance toward Albany, July 6, 1777, Gen. St. Clair, whom Schuyler had left in command at Ticonderoga, being hard pressed by the enemy under the Hessian General Riedesel, began a retreat toward Rutland. The left wing of the British army, under Gen. Fraser, pursued the Americans, and in the afternoon of the 7th came upon Colonels Warner, Francis, and Hale, with about 900 effective men, at Hubbardton, Vt. The British force was officially reported as 858. The Americans maintained their ground with resolution and bravery, but the arrival of Riedesel forced them to retire. Col. Francis was killed and Col. Warner fled toward Rutland. The American casualties were about 360. The British loss amounted to 183, including Maj. Grant.
- Hudson, The**, seizure of, by British authorities referred to, VII, 160.
- Hudson, The**, thanks of Congress to officers and men of, for rescuing the *Winslow* at Cardenas, Cuba, recommended, X, 77.
- Hudson, N. Y.**, bill for erection of public building at, vetoed, IX, 86.
- Hudson River**, act to authorize New York and New Jersey Bridge Companies to construct bridge across, at New York, vetoed, IX, 480.
- Hudsons Bay Company**.—A trading corporation chartered by Charles II in 1670 to Prince Rupert and other noblemen, to discover a new passage to the South Sea and to trade in the products of British North America. The original charter secured to Prince Rupert and his associates the absolute proprietorship, subordinate sovereignty, and exclusive traffic of an undefined territory which, under the name of Rupert's Land, comprised all the regions discovered or to be discovered within the entrance of Hudson Strait. The company afterwards combined with the Northwest Company and became a formidable rival of the United States in claiming the northwestern portion of America. Notwithstanding the fact that the treaty of 1783 vested the right to certain territory in the United States, the Hudsons Bay Company persisted in making settlements therein and discouraging American colonists. Their efforts to hold Oregon by force almost resulted in a war with England, but the boundary was finally settled in 1846.
- Hudsons Bay Company**:
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- Rights of, to navigation of Columbia River, V, 278.
- Treaty with Great Britain regarding, VI, 194, 200.
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- Huebschmann, Francis**, treaties with Indians concluded by, V, 240, 363.
- Huggins, Samuel**, wounding and robbing of, by Mexican soldiers referred to, VII, 422.
- Hugh McCulloch, The**:
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- Hull, Isaac**:
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- Hull, William**:
 Letter of, regarding Indians referred to, I, 433.
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 Surrenders fort and town of Detroit to the British, I, 515.
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- Hülsemann, Chevalier**, chargé d'affaires of Austria, withdrawal of, referred to, V, 154.
- Humaco, Puerto Rico**, land reserved for custom house at, X, 618.
- Humphreys, David**, minister to Portugal, nomination of, I, 98.
- Hundred**.—An ancient English subdivision of a county. It was used to a limited extent in the American Colonies, notably Delaware, Maryland, and Virginia. The chief officer of the hundred was the constable. It corresponds roughly to the present township.
- Hungary** (see also Austria-Hungary):
 Agent of United States sent to, during war with Austria referred to, V, 12, 41, 96.
 Exiles from, report on, V, 76.
 Kossuth liberated. (See Kossuth, Louis.)
 War of, with Austria, sympathy of American Government with Hungary, V, 12, 41.
- Hunkers**.—A name applied to a faction of the Democratic party of New York and later to the conservative element of that party in other States. The name came into use in 1844. The Hunkers in New York opposed the Locofocos, the Barnburners, and the Radicals.
- Hunkpapa Indians**, treaty with, referred to, II, 346.
- Hunt, Alexander C.**, treaty with Indians concluded by, VI, 465, 629.
- Hunt, Dr.**, mentioned, III, 96.
- Hunter, David**:
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 Member of court to try assassins of President Lincoln, etc., VI, 336.
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- Hunter, John**, act granting pension to, vetoed, VIII, 432.
- Hunter, Lieut.**, report of, on establishment of steamship lines referred to, IV, 320.
- Hunter, Maria**, act for relief of, vetoed, VIII, 446.
- Hunter, Robert M. T.**, member of commission to confer with President regarding termination of war, VI, 260.
- Hunter, W.**, Acting Secretary of State, VI, 286, 306.

Hunter, William M., court-martial of, II, 323.
Hurlbut, Stephen A., minister to Bogotá, mentioned, VII, 57.

Hutchins, Charles, treaty with Indians concluded, by, VI, 202.

Hydrographic Commission of the Amazon, claims of members of, against Peru, IX, 667.

Hydrographic Office, transfer of, to Navy Department recommended, IX, 541.

Hygienic Congress at Turin, VIII, 39.

Hylton vs. United States.—This was a case first coming before the United States Supreme Court in the May term, 1795, involving the question of direct or indirect taxes. Hylton was indicted before the circuit court for the district of Virginia for refusing to pay duty upon certain carriages which he claimed were kept for his own private use. The decree was against the defendant. When the case came before the Supreme Court the argument turned upon the question of the tax being direct or indirect. The justices read their opinions seriatim. Judgment was affirmed for defendant. Justice Wilson briefly stated that he upheld the constitutionality of the law of 1794, under which the case arose. The other justices differed in their treatment of the law, whether to deny its constitutionality in express terms or not.

Hynes, Thomas W., mentioned, X, 640.

I

Idaho.—One of the United States; motto, "Esto perpetua" ("May it last forever"). It lies between lat. 42° and 49° north and long. 111° and 117° 10' west. It is bounded on the north by British Columbia and Montana, on the east by Montana and Wyoming, on the south by Utah and Nevada, and on the west by Washington and Oregon. The Bitter Root and Rocky mountains form the eastern border. It also contains the Salmon River Mountains. Mining and agriculture are the chief industries; gold, silver, lead, and copper are produced in considerable quantities. Lumbering is also an important industry, as the State contains some 7,000,000 acres of timber land. It was a part of the Louisiana Purchase. Later it formed part of Oregon Territory and was also at one time a part of Washington Territory. In 1863, together with the present Montana and part of Wyoming, it was organized as a separate Territory. It was admitted as a State in 1890. Area, 84,800 sq. miles; population (1905), 250,900.

Idaho:

Admission of, into Union discussed, IX, 118.
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Illegal Combinations (see also *Amelia Island*; *Arizona*; *Arkansas*; *Boston*; *Burr*; *Aaron*; *California*; *Colorado*; *Dorr's Rebellion*; *Expeditions Against Foreign Powers*; *Harpers Ferry, Va.*; *Idaho*; *Illinois*; *Kansas*; *Ku-Klux Klan*; *Louisiana*; *Maryland*; *Mississippi*; *Montana*; *New Mexico*; *New York*; *North Dakota*; *Pennsylvania*; *Rifle Clubs*; *Secret Lodges*; *South Carolina*; *Utah*; *Washington*; *West Virginia*; *White Leagues*; *Wyoming*):

Discussed, I, 436; VII, 199.

Legislation for suppression of, recommended, VIII, 53.

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Illinois.—One of the United States; nickname, "Prairie State," or "Sucker State;" motto, "National Union; State Sovereignty." It is bounded on the north by Wisconsin and Lake Michigan, on the east by Lake Michigan and Indiana, on the south by Kentucky (separated by the Ohio River), and on the west by Missouri and Iowa (separated by the Mississippi River). The surface is generally level. It is one of the leading States in the production of wheat, corn, and oats. Though it is mainly an agricultural State, it has many flourishing manufactures, taking third rank among the manufacturing States. Its chief industries are slaughtering, meat packing, distilling, iron-founding, and the manufacture of general and agricultural machinery. It is the first State in the Union in the extent of its railways and the third in population. It was settled by the French in 1682; was ceded to Great Britain in 1763 and to the United States in 1783. It became part of the Northwest Territory in 1787 and part of Indiana Territory in 1800. It was made a separate Territory in 1809 and admitted to the Union in 1818. Area, 56,650 sq. miles; population (1900), 4,821,550.

Illinois (see also *Chicago*):

Admission of, into Union, II, 46.

Bill relating to division of, into judicial districts, etc., returned, VIII, 537.

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Lands in, ceded to United States by Indians, III, 38.

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Volunteers from, thanks of President tendered, VI, 241.

Illinois and Michigan Canal tendered United States by Illinois, VIII, 196.

Illinois Central Railroad, transportation of mails over, referred to, V, 363.

Illinois Indians.—A confederacy of the Algonquian stock of Indians which formerly occupied Illinois and parts of Iowa, Missouri, and Wisconsin. The principal tribes of the confederacy were the Kaskaskia, Peoria, Cahokia, Tamaroa, and Michegamea. The Illinois were allies of the French, and for this reason the Iroquois in 1678 waged a long

Illinois Indians—Continued.

and destructive war against them. In 1769 Pontiac, an Ottawa, who was chief of the confederation, was assassinated by a Kaskaskia Indian, and a war of extermination by the Lake tribes followed. There still remain about 165 Illinois Indians at the Quapaw Agency, Ind. T.

Illinois Indians, treaty with, I, 135.

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Immigration.—No official statistics of immigration were kept previous to 1820. By the act of Congress of Mar. 2, 1819, collectors of customs were required to keep a record and make a return to the Treasury Department of all passengers arriving in their respective districts from foreign ports. As early as 1700 large numbers of Germans from the districts along the Rhine emigrated to America, most of them settling in Pennsylvania. Some 5,000 are said to have arrived in Pennsylvania from Germany in 1729. The outbreak of the Revolution of course retarded immigration for a time. Then the breaking out of the European wars and their continuance until 1815 absorbed nearly all the surplus population for about 40 years. Various estimates have been made of the number of immigrants coming to the United States prior to 1820. These range from an average of 4,000 to 7,800 a year, some of the calculators, however, basing their estimates on returns for only a part of the time. Dr. Loring, of the United States Statistical Bureau, calculates that 250,000 immigrants came to the United States between 1775 and 1820. This is an average of 5,500 per year. In 1820, the first year of record, there were 8,385 arrivals. The following years showed a steady increase up to 1854, when the number reached 427,833. Almost every year's figures show an increase over those of the preceding year. After 1854 there was a gradual falling off, until during the first year of the Civil War the number was reduced to 91,920—but little more than half the number of arrivals for the preceding year. The following year (1862) showed but 91,987, but this number was nearly doubled the next year, notwithstanding the result of the war was yet in doubt. After the war the tide of immigration again set toward our shores, and in 1882 the arrivals reached 788,992. The total immigration from Jan. 1, 1820, to the close of 1893 was more than 20,000,000. This large influx of foreigners so disturbed the existing social conditions that remedial legislation was demanded. By an act of Congress in 1882 a head tax was laid upon every immigrant by sea, and commissioners were appointed to inspect vessels entering American ports, who should have the power to prevent the landing of any "convict, lunatic, idiot, or person likely to become a public charge." Such persons were to be returned to the port whence they came at the cost of the owners of the vessels bringing them to this country. A further law, passed in 1885, makes it unlawful to pay the transportation or to encourage in any way the immigration of aliens under contract or agreement to perform labor or service in the United States. The penalties attached to this act are \$1,000 fine upon the person so encouraging such immigrant and \$500 upon the captain of a vessel who knowingly transports the laborers. The immigration laws were amended in 1887,

1888, 1891, and 1892 in the direction of protecting American workmen from the ruinous competition with foreign pauper labor. These laws have served to reduce the number as well as improve the class of arrivals. The report for 1901 showed only 487,918 arrivals, against 603,322 in 1883. Since 1901 the tide of immigration has steadily increased. In the year 1903 more immigrants were admitted than during any other year, 857,046 arriving during that period. In 1904, according to the report of the Commissioner of Immigration, 840,714 aliens entered the United States, 812,870 of whom were immigrants. Among the countries furnishing at present the largest contingents, Austria-Hungary stands first, with Russia second. The problem of immigration is one of much concern to the public mind because of the accretion to our population of many undesirable elements in spite of existing restrictive laws. In his message to Congress (December 6, 1904), President Roosevelt made a plea for the better regulation of the service. While there is no danger of having too many immigrants of the right kind, he said, in effect, "we should not admit masses of men whose standards of living and whose personal customs and habits are such that they tend to lower the level of the American wage-worker, and above all we should not admit any man of an unworthy type, any man concerning whom we can say that he will himself be a bad citizen or that his children and grandchildren will detract from instead of add to the sum of the good citizenship of the country."

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- Laws, amendment of, recommended, X, 427, 640, 823, 824; XI, 1164, 1165.
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- Measures for health and safety of immigrants discussed, V, 239, 242; VII, 166.
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 - Germany and claims arising under, discussed, VII, 467.
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Impeachment.—The exhibition of charges of maladministration against a civil officer before a competent tribunal. In the United States the House of Representatives has the sole power of impeachment of the President, Vice-President, and all civil officers of the United States. The Senate has the sole power to try all impeachments. The Chief Justice presides at the trial of a President. A two-thirds vote is necessary to convict. Most States have similar regulations regarding impeachment. This mode of trial of public officials comes to us from England, where impeachments are made by the House of Commons and tried by the House of Lords. In the history of the Federal Government there have been only 7 cases of impeachment. Senator William Blount, of Tennessee, was impeached by the House in 1797 for treasonable negotiations with Great Britain for the transfer of New Orleans. The Senate acquitted him. On Mar. 3, 1803, Judge John Pickering, of the Federal court of New Hampshire, was impeached and removed from the bench for drunkenness and profanity. Judge Samuel

Chase, of Maryland, an associate justice of the United States Supreme Court, was impeached on November 30, 1804 for misconduct at the trials of persons charged with the breach of the Sedition Laws; acquitted Mar. 1, 1805. At a trial lasting from May 11-30, 1830 and from December 13, 1830 to January 31, 1831, Judge James H. Peck, of the Federal court of Missouri, was impeached for punishing as contempt of court a criticism of his opinions. He was acquitted. On May 22, 1862, Judge West H. Humphreys, of the Federal district court of Tennessee, was impeached and afterwards removed upon the charge of aiding the rebellion. The voting on this occasion being 32 for guilty against 4 for not guilty. On March 30, 1868, the House impeached Andrew Johnson, President of the United States, for having removed Secretary of War Stanton in violation of the tenure-of-office act, for having appointed Gen. Lorenzo Thomas Secretary of War contrary to the same act, for conspiracy with Thomas and others for the intimidation of Stanton and the unlawful disbursement of the War Department's moneys, and for inducing Gen. Emory to disobey orders. The House adopted the impeachment resolution by a vote of 126 to 42. President Johnson was acquitted by the Senate by a vote of 35 to 19 (VI, 709). Mar. 2, 1876, Secretary of War W. W. Belknap was impeached on the charge of bribery in making appointments. He resigned a few hours before the impeachment resolution passed the House, and the President accepted his resignation. Aug. 1, 1876, he was acquitted by a vote of 36 for conviction to 25 for acquittal, the minority holding that, being out of office, he was not liable on impeachment proceedings. Charles Swayne, Judge of the District Court of the United States for the District of Florida was impeached for misconduct in office, the trial lasted from February 6-27, 1905 and resulted in an acquittal by 55 against 37 votes.

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Impressment.—The act of compelling persons to enter the public service, usually applied to the seizure of sailors for service on naval vessels. Great Britain has always claimed the right to levy land and naval forces in time of war by compulsory process. This method has been limited in the case of land forces to times of actual invasion; but that country still claims the right to impress British seamen into service wherever they may be found. The exercise of this claim was among the causes that led to the War of 1812. Great Britain refused to allow the right of her seamen to change their allegiance by naturalization and claimed the right to search neutral vessels and decide by her visiting officers who among the crew of such neutral vessels were British subjects. Many American sailors were in this way wrongfully impressed into the British navy. Although by the treaty of Ghent Great Britain did not relinquish this claim, it has been abandoned so far as United States vessels are concerned. She has acceded to the doctrine of Webster that in every regularly documented American vessel the crew who navigate it will find protection in the flag which is over them. (See also Ghent, Treaty of.)

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Inauguration Day.—After the ratification of the Constitution by the several States the Congress of the old Confederation fixed upon the first Wednesday in January, 1789, for the choice of electors, the first Wednesday in February for the voting by the electors, and the first Wednesday in March for the inauguration of the President. The latter day fell on the 4th in that year, and the twelfth amendment to the Constitution settled upon this as the legal date. Bills have been frequently introduced in both Houses of Congress to change Inauguration Day from Mar. 4 to various dates, some as late as April 30. There has also been some agitation to make the date of inauguration considerably earlier, the advocates of this proposition claiming that the interval between election and inauguration is dangerously long.

Income Tax.—A form of direct tax upon annual incomes in excess of a specified sum. According to the doctrine of Adam Smith, "the subjects of every state ought to contribute to the support of the government as nearly as possible in proportion to their respective abilities—that is, in proportion to the revenues which they respectively enjoy under the protection of the state." In pur-

Income Tax—Continued.

suance of this principle all incomes should be taxed, but it is generally conceded among the advocates of such a tax that incomes below a certain amount should be exempt. An income tax has been levied by the United States Government but twice in its history. Aug. 5, 1861, Congress authorized a tax of 3 per cent. on all incomes over \$800 per annum. July 1, 1862, an act was passed taxing all incomes under \$5,000 5 per cent., with an exemption of \$600 and house rent actually paid. Incomes of more than \$5,000 and less than \$10,000 were taxed 2½ per cent. additional, and on incomes of more than \$10,000 5 per cent. additional with no exemptions. A tax of 5 per cent. on incomes of Americans living abroad and of 1½ per cent. on incomes from United States securities was levied, expiring in 1865. In 1864 a special tax of 5 per cent. was imposed on all incomes between \$600 and \$5,000 and 10 per cent., on incomes of more than \$5,000. This law was repealed in 1872. The amount collected under it was \$346,911,760. 48. In August, 1894, the Wilson tariff law imposed a tax of 2 per cent. on all incomes in excess of \$4,000. The Supreme Court in 1895 declared this law unconstitutional. A large proportion of the revenue of Great Britain is derived from income-tax laws.

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Income-Tax Cases.—Famous cases involving the income-tax provision of the tariff law of Aug. 28, 1894. The first to come before the Supreme Court was that of *Pollock vs. Farmers' Loan and Trust Co.*, on appeal from the circuit court of the United States for the southern district of New York, decided Apr. 8, 1895. The suit arose on a bill filed by Charles Pollock, a citizen of Massachusetts, on behalf of himself and all other stockholders of the defendant company similarly situated, against the *Farmers' Loan and Trust Co.*, of the State of New York, and its directors. The syllabus shows both the argument and the opinion of the court as far as expressed. Omitting the mere technical points involved, the Supreme Court held that in the adjudicated cases referred to in the case, beginning with *Hylton vs. United States*, February, 1796, and ending with *Springer vs. United States*, October, 1880, taxes on land are conceded to be direct taxes, and in one of them it is determined that a tax on rent or income derived from land is not a tax on land. A tax on the rents or income of real estate is a direct tax within the meaning of the Constitution. A tax upon income derived from the interest of bonds issued by a municipal corporation is a tax upon the power of the State and its instrumentalities, and is consequently repugnant to the Constitution of the United States. So much of the act cited as provides for levying taxes upon rents or incomes derived from real estate or from the interest on municipal bonds is repugnant to the Constitution and is invalid. The justices who heard the argument were divided upon each of the other questions, as follows, and rendered no opinion as to them: (1) Whether

the void provision as to rents and income from real estate invalidates the whole act; (2) whether as to the income from personal property as such the act is unconstitutional as levying direct taxes; and (3) whether any part of the tax, if not considered as a direct tax, is invalid for want of uniformity on either of the grounds suggested. Chief Justice Fuller delivered the opinion. Justice Field's opinion went further. He said: "The present assault upon capital is but the beginning. * * * Our political contests will become a war of the poor against the rich—a war constantly growing in intensity and bitterness. * * * I am of opinion that the whole law of 1894 should be declared void and without any binding force." Justices White and Harlan dissented. The former spoke of "the injustice and harm which must always result from overthrowing a long and settled practice sanctioned by the decisions of this court. Under the income-tax laws which prevailed in the past for many years, and which covered every conceivable source of income—rentals from real estate and everything else—vast sums were collected from the people of the United States. The decision here rendered announces that those sums were wrongfully taken, and thereby, it seems to me, creates a claim in equity and good conscience against the Government for an enormous amount of money." The Supreme Court made the same decree and the justices were aligned just as above in the case of *Hyde vs. Continental Trust Co.* This also was an appeal from the circuit court of the United States for the southern district of New York. This case, with *Pollock vs. Farmers' Loan and Trust Co.*, was accorded a rehearing and was decided May 20, 1895. In delivering the opinion of the court the Chief Justice alluded to the broadening of the field of inquiry. The whole case was reviewed, but the court did not retravel the entire ground covered in the former decision. It was held that taxes on rents or income of real estate are direct taxes. Taxes on personal property or on the income of personal property are likewise direct taxes. The tax imposed by sections 27 to 37, inclusive, of the act of 1894, so far as it falls on the income of real estate and of personal property, being a direct tax within the meaning of the Constitution, and therefore unconstitutional and void, because not apportioned according to representation, all those sections, constituting an entire scheme of taxation, are necessarily invalid. Dissenting opinions were rendered by Justices Harlan, Brown, Jackson, and White.

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Independent Telegraph Co., ran between Philadelphia and Boston, and in 1863 military possession of it was taken as a precaution.

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India.—An extensive region of southern Asia. The name India is and has been used with very different meanings. Passing over its ancient use and signification, the name is now ordinarily used to mean British India, or the Indian Empire, officially called India. This

India—Continued.

includes a large number of provinces, or minor divisions, having an area of about 1,559, 603 sq. miles and a population (1901) of 294, 361,056. In addition to the above there are the feudatory native states, with an area of about 595,000 sq. miles and a population of about 62,461,549. The most important exports of India are, wheat, rice, cotton, opium, oil seeds, jute, hides, tea, and indigo. The government is vested in a secretary of state for, India (in London), with a council of 10 (also in London). The government is administered by a Governor-General, styled Viceroy, appointed by the Crown, a council with a centralized system of governors for provinces, and commissioners and deputy commissioners for divisions and districts. The administration was transferred to the Crown in 1858, and Queen Victoria was proclaimed Empress of India in 1877.

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- Indian Territory.**—Thomas Jefferson first suggested that Congress set apart a certain portion of the public lands for the use of the Indians. Accordingly, after a long interval, by the act of June 30, 1834, all the country west of the Mississippi which was not included in Missouri, Louisiana, and Arkansas was devoted to the use of the Indian tribes which had moved thither from various parts of the United States. This territory has been diminished by the organization of various States and Territories until it now comprises only about 31,000 sq. miles, apportioned among 5 principal tribes—Cherokees, Choctaws, Creeks, Seminoles, and Chickasaws. A number of smaller Indian tribes also live within this Territory. Instead of being governed in the manner prescribed by Congress for the Territories, it is ruled by principal chiefs, national legislatures, and ancient tribal usages, under the supervision of the United States Bureau of Indian Affairs. The Territory is bounded on the north by Kansas and Oklahoma, on the east by Missouri and Arkansas, on the south by Texas (separated by the Red River), and on the west by Oklahoma. The chief industries are agriculture and stock-raising. The population by census of 1905 was 442,060.
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Indiana.—One of the United States; nickname,

"The Hoosier State." It is bounded on the north by Michigan and Lake Michigan, on the east by Ohio, on the south by Kentucky (separated by the Ohio River), and on the west by Illinois. The capital is Indianapolis.

Indiana is the eighth in population of the United States and one of the leaders in the production of wheat. It was settled by the French (at Vincennes) in 1702 and was ceded to Great Britain in 1763 and to the United States in 1783. It became a part of the North-west Territory in 1787 and was made a separate Territory in 1800. Indiana was admitted to the Union Dec. 11, 1816. Area, 36,350 sq. miles; population (1900), 2,416,462.

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Indians.—When Europeans first came to this hemisphere they called the natives Indians on the supposition that the land was India.

This was soon found to be an error, but the name Indians has continued to be applied to the people of both North and South America.

As the Indians were mostly barbarous, and as those who were partially civilized possessed no written records or reliable tradition, their origin and history became a problem for the ethnologist. Morton makes 2 grand divisions of the South American Indians—the Toltec nations, who were civilized, and the barbarous tribes, the former embracing the ancient Mexicans and Peruvians and the latter all the uncivilized tribes. The Mayas of Yucatan built pyramids and had a literature. Some ethnologists claim that the American Indian is a distinct type of the human race, as indigenous to this continent as its fauna and flora, and as having subsisted as such from the earliest ages of the world. Others regard them as a branch of the Mongolian race which, at a remote period of their history, wandered from Asia to the American continent, and there remained for thousands of years separated from the rest of mankind and passing through various stages of progress or retrogression. Dr. Robert Brown says in his *Races of Mankind*: "Not only are the western Indians in appearance very like their nearest neighbors, the northeastern Asi-

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atics, but in language and tradition it is confidently affirmed there is a blending of the people. The Eskimo on the American and the Tchuktchis on the Asiatic side understand each other perfectly." Anthropologists also admit that between the various tribes from the Arctic Sea to Cape Horn there is greater uniformity of physical structure and personal characteristics than is seen in any other quarter of the globe. Though the red men of Canada differ in many respects from the wandering Guranis of Paraguay and both from the Azteca of Mexico, all exhibit strong evidence of belonging to the same great branch of the human family, notwithstanding the wide diversity of language. Generally the physical characteristics are a low, broad forehead; full face; back of head flattened; powerful jaws; full lips; prominent cheek bones; dark, deeply set eyes; hair long and wavy; no beard; copper-colored skin; erect and slender figure; about the average in height. In Mexico and Peru the aboriginal inhabitants were a rich, powerful, and highly civilized people, dwelling in walled cities. They had fixed laws and were acquainted with some of the higher arts and the sciences. Taking similarity of language as a basis of grouping, the Indians of North America were divided into some 60 linguistic stocks. These stocks were composed of many tribes of varying dialects, and tribes sometimes united temporarily for purposes of offense or defense into confederations. The most important of these stocks were the Eskimaun, Athapascan, Algonquian, Siouan, Iroquoian, Salishan, Shoshonean, Muskogean, Caddoan, Yuman, Piman, Sahaptian, Kiowan, and Timuquanan. The different tribes with which the United States have had dealings are mentioned under separate headings. The total number of Indians in the United States at this time is 263,233.

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Innocuous Desuetude.—This phrase occurs in a message of President Cleveland Mar. 1, 1886 (VIII, 381), when he was discussing laws on the subject of suspensions from office. The Senate had asked him for his reasons for suspending certain officials.

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Interior, Department of the.—An Executive Department of the Government. It

is composed of a number of bureaus and offices whose duties have no necessary connection with each other. It was created by act of Congress approved March 3, 1849;

in the original law it was called the Home

Department (q. v.), the name being very soon

changed. By the act of 1849, it was given

jurisdiction over patents, formerly held by

the State Department; Indian Affairs, formerly held by the War Department; pen-

sions, formerly held by the War and Navy;

and the census, formerly under the Treasury;

while the General Land Office was transferred to it from the Treasury, together with

the care of certain public buildings and the

revision of court accounts. The Census

Bureau was transferred in 1903 to the Department of Commerce and Labor (q. v.) while

the reviewing of the accounts of courts and

marshals is in the hands of the Department

of Justice (q. v.). Numerous additions have

since been made to its jurisdiction, including

education, public surveys, the subsidized

railroads, the distribution of certain public

documents; labor matters (now controlled

by the Department of Commerce and Labor

q. v.), territories, national parks, and the

oversight of certain charitable institutions in

the District of Columbia. The office of

Assistant Secretary was created at its organization; an additional assistant secretary, with

the title of First Assistant, was created in

1865. The Secretary of the Interior and his

two assistants have general supervision of

the work of the Department. The Secretary's

duties are performed in his absence by the

First Assistant Secretary; or in the absence

of both his superiors, by the Assistant Sec-

retary. The First Assistant attends to

matters relating to official bonds and requis-

itions; the Territories; Indian supplies; lands

and trust funds; and the National Parks.

The Assistant Secretary attends to appeals

from the Pension and Patent Offices, the

business of certain charitable institutions;

admission and disbarment of attorneys prac-

ticing before the Department; and certain

vouchers. The Chief Clerk, besides the

usual duties of such an official, edits the

Official Register of the United States. The

Patent Office attends to the granting and

issuing of patents. The first patent law was

approved Apr. 10, 1790. Only 3 patents were

granted the first year, 33 the second, and 11

the third. In 1836 the Patent Office was

burned, with all the records, and Congress

then established the present system, sub-

stantially repealing the earlier laws. The

office was created as a Bureau of the Depart-

ment of State, the chief officer being the

Commissioner of Patents. When the Depart-

ment of the Interior was created, in 1849,

the Patent Office was made a bureau thereof.

The Commissioner of Patents supervises the

issuing of patents and the registration of

trade-marks. His decision is final in the

Interior Department—Continued.

Patent Office and he has appellate jurisdiction in the trial of interference cases and questions relating to the patentability of inventions. The Office publishes each month an Official Gazette, giving a description of each patent issued, and employs in its work 732 persons, including an assistant commissioner, chief clerk, five examiners-in-chief, an examiner of interferences, and thirty-nine principal examiners. Under the old system, prior to 1836, there were issued only 9,937 patents, since that time up to Jan. 1, 1905 there have been issued 778,790 patents. The Commissioner of Pensions has charge of matters relating to pensions and bounty lands. Under him are two deputy commissioners and a chief clerk, each in charge of certain divisions of the Bureau. Up to 1833, the distribution of pensions had been supervised by the War and Navy Departments, each for its own pensioners. In that year Congress established the Pension Bureau, and placed J. S. Edwards in charge. He immediately assumed the business heretofore conducted by the War Department, and in 1849 naval pensions also. In the same year the Bureau was made a part of the new Interior Department. (See also Pensions.) The General Land Office has charge of the survey, management and sale of the public lands. Until 1812 the Secretary of the Treasury acted as agent for the sale of public lands. After the office of Commissioner of the General Land Office was created, the Land Office remained a Bureau of the Treasury Department until it was made a part of the Interior Department at its organization. The Bureau of Indian Affairs has charge of the Indians of the United States, except those in Alaska, and makes annual reports upon the condition of each tribe. Previous to 1832 all matters relating to the Indians had been transacted by the clerks of the War Department. By this time, however, the business relations between the Government and the Indians had grown to such proportions that it became necessary to establish a Bureau of Indian Affairs. Accordingly Congress authorized the President to appoint a Commissioner who should have general superintendence, under the Secretary of War, of all Indian affairs. The first Commissioner was appointed July 9, 1832. It remained a part of the War Department until 1849, when it was transferred to the Department of the Interior. The Bureau of Education was established under the name of the Department of Education in 1867; the succeeding year it was made a Bureau of the Interior Department. Its head is the Commissioner of Education. His duties are to collect such statistics and facts as show the progress of education throughout the country, and to diffuse this and such other information as shall aid in educational progress. He also has charge of the education of Indians in Alaska, and administers the endowment fund for the support of agricultural and mechanical colleges. The Geological Survey was established as a Bureau of the Interior Department in 1879; although geological and topographical expeditions had been sent out before that time. (See Geological Surveys.) Its head, the Director of the Geological Sur-

vey, is charged with the classification of public lands, their examination as to geological structure, mineral resources and products and the preparation of topographic and geologic maps; he makes investigations as to water supply and the capacity of streams; and has charge of the reclamation of arid lands (popularly known as irrigation work) including the disbursement of the reclamation fund, created by the act of June 17, 1902, from the sale of arid lands. (See Irrigation.) From 1881 to 1904 the duties of the Secretary in relation to the reports from subsidized railroads were performed by the Commissioner of Railroads; in the latter year this office was abolished and the duties devolved upon the Secretary. Heads of the Department since its organization have been: Thomas Ewing, Ohio; Alexander H. H. Stuart, Virginia; Robert McClelland, Michigan; Jacob Thompson, Mississippi; Caleb B. Smith, Indiana; John P. Usher, Indiana; James Harlan, Iowa; Orville H. Browning, Illinois; Jacob D. Cox, Ohio; Columbus Delano, Ohio; Zachariah Chandler, Michigan; Carl Schurz, Missouri; Samuel J. Kirkwood, Iowa; Henry M. Teller, Colorado; Lucius Q. C. Lamar, Mississippi; William F. Vilas, Wisconsin; John W. Noble, Missouri; Hoke Smith, Georgia; David R. Francis, Missouri; Cornelius N. Bliss, New York; the present Secretary of the Department is Ethan Allen Hitchcock of Missouri.

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Internal Improvements.—There being no provision in the Constitution for internal improvements, the matter has always been a subject of dispute. Since Aug. 7, 1789, Congress has regularly appropriated money for such improvements as lie strictly within the Federal jurisdiction—harbors, beacons, buoys, light-houses, piers, etc. Mar. 29, 1806, Congress authorized the President to appoint 3 commissioners to lay out a national road from Cumberland, on the Potomac, to the Ohio River, and appropriated \$30,000 for the expenses (I, 418). The road was to pass through several States. A national road was also projected through Georgia, with New Orleans as its proposed western terminus. Mar. 3, 1817, President Madison vetoed a bill to set apart the bonus and Government dividends of the national bank as a fund "for constructing roads and canals and improving the navigation of water courses," on the ground that Congress had no constitutional power to expend public revenues for such purposes (I, 584). May 4, 1822, President Monroe vetoed an appropriation for preserv-

Internal Improvements—Continued.

ing and repairing the Cumberland road, on the same general ground (II, 142). President Jackson also vetoed several bills providing for internal improvements (II, 483, 493, 638; III, 118). Mar. 14, 1818, the House of Representatives passed a resolution declaring that Congress had the power to appropriate money for the construction of roads and canals and for the improvement of water courses. Mar. 3, 1823, the first appropriation for the improvement of rivers and harbors passed Congress. In April, 1824, \$30,000 was appropriated for the survey of such roads and canals as the President should deem of national importance, and the act of Mar. 3, 1825, authorized the subscription of \$300,000 to the stock of the Chesapeake and Delaware Canal. Since 1861 the question of internal improvements has ceased to be a party one, both parties recognizing the right of Congress to appropriate money for public improvements. (See River and Harbor Bills, Pacific Railroads and Irrigation.)

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Internal Revenue.—That part of the revenue of a country which is derived from duties or taxes on articles manufactured or grown at home, on licenses, stamps, incomes, etc.—in fact, all revenue not collected on exports or

imports. The internal revenue of the United States is derived chiefly from taxes on liquors and tobacco and in cases of emergency upon commercial paper, bank circulation, and upon incomes. The receipts from these various sources have varied from \$1,000,000, which figure was first reached in 1801, to \$309,000,000, which was reached during the operation of the war tax in 1866. Later the taxes settled down to a normal basis of something like \$150,000,000 a year. In 1892 \$154,000,000 was collected and in 1896 \$146,000,000. During the war with Spain the internal revenue collected in 1901, amounted to \$306, 871,669, while the amount collected in 1905 was \$234,187,976.

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International American Conference.—Oct. 2, 1889, on the invitation of the United States, an international conference of representatives from the United States and 17 States of Central and South America, also including Mexico and Haiti, assembled at Washington. This conference is known as the Pan-American Congress. The object was to adopt some plan of arbitration for the settlement of disputes and the improvement of business relations and means of communication between the countries. Santo Domingo was the only State to refuse the invitation. Before assembling as a congress the delegates were taken on a tour of the country, to give them an idea of the extent and resources of the United States. After traveling 6,000 miles they returned to Washington. The proceedings of the congress resulted in extending a knowledge of the commercial status of the various countries and the publication of an extensive series of proceedings, debates, and recommendations. The body adjourned Apr. 19, 1890. The Bureau of American Republics (q. v.) was established at the suggestion of this congress.

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Interstate Commerce.—Commercial transactions and intercourse between residents in different States or carried on by lines of transport extending into more than one State. Power to regulate commerce between the States is invested in Congress by the Constitution (I, 24). It is held that the power to regulate commerce of necessity includes the power to regulate the means by which it is carried on, so that the scope of authority given to Congress by this clause enlarges with the development of the industries of the country and the means of communication. The intent of the framers of the Constitution was to prohibit legislation by any State against the business interests of another State by taxation, discrimination, or otherwise. It was intended also as a check upon the arbitrary power of State legislatures rather than upon private corporations or railroad companies. With the development of the great railway lines, traversing many States and bringing remote interior producers into close communication with the seaboard markets, came the necessity for regulating the rates of transportation by a more general law than it was within the power of any State to enact. It was charged against the railroads that certain firms, or firms in certain cities, made contracts by which their goods were carried over long distances at lower rates than were demanded for carrying the same goods short distances. The railroads claimed that competition between trunk lines forced them to take the long-distance freight at nearly the same rates as they received for local freight where there was no competition. It was asserted that the railroads did not regulate freight rates by cost of carrying, but by what the business would bear. The first attempts to regulate interstate commerce date back to 1873, previous to which time the Grangers had had State laws for regulation of railroad charges enacted in some of the Western States. In 1878 John H. Reagan, of Texas, introduced a series of bills in the House, which culminated Feb. 4, 1887, after yearly debates on these and similar bills, in the act to regulate commerce. This law established an Interstate Commerce Commission of 5 to

investigate complaints. It furthermore gives shippers the option of complaining to this commission or of instituting suits in the Federal courts; prohibits unjust discrimination between persons and places, the giving of special rates, etc., though the commissioners may suspend this rule in special cases; requires railroads to publish rates and adhere to them, and forbids pooling of freights of different and competing railroads; enforces the Safety Appliance Act of 1893, and requires from all common carriers doing an interstate business a monthly report of all accidents both to passengers and employees. The chairman of the Commission is directed to assist the Commissioner of Labor to endeavor to settle all disputes between railway companies and their employees.

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Iowa.—One of the United States; nickname, "The Hawkeye State;" motto, "Our liberties we prize and our rights we will maintain." It was formed from a part of the Louisiana territory purchased from France. The name signifies "Here is the place to dwell in peace." Iowa is bounded on the north by Minnesota, on the east by Wisconsin and Illinois (separated by the Mississippi River), on the south by Missouri, and on the west by Nebraska and South Dakota. The first white settlement was made at Dubuque by Julian Dubuque in 1788. In 1834 the territory was made a part of Michigan. In 1836 it was added to Wisconsin Territory, and in 1838 the Territory of Iowa was established. The industries of the State are agriculture, stock-raising, slaughtering, meat-packing and flour and grist milling. It was admitted to statehood Dec. 28, 1846. Area, 56,025 sq. miles; population according to State Census of 1905, 2,216,068.

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Iroquois Indians.—One of the great families of American Indians (formerly sometimes called the Five Nations and later the Six Nations), composed of many tribes speaking languages of a common lineage. Most of the Iroquois tribes dwelt in early colonial days in the region of the Great Lakes, in what are now the Canadian Provinces of Ontario and Quebec and the States of New York and Pennsylvania. A small group of them (the Tuscaroras, etc.) occupied the region about the head waters of the Roanoke, Neuse, and branches of the Cape Fear rivers, in North Carolina and Virginia. Intellectually and physically they were the foremost of American Indians. They were almost constantly at war with their neighbors or the whites. In the struggle for American independence nearly all of the Iroquois sided with Great Britain. They now have reservations in the Dominion of Canada. The Oneidas and Tuscaroras are now settled on reservations in New York, Pennsylvania, and Wisconsin. (See also Cherokee Indians.)

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Island No. 10 (Tenn.), Battle of.—About the time of the capture of New Madrid, Mo., Commodore Foote sailed from Cairo, Ill., with a fleet of 7 ironclad gunboats, 1 wooden gunboat, and 10 mortar boats to assist Pope in his attack on Island No. 10. Mar. 16, 1862, Foote began a bombardment, which he kept up for many days without effect. Pope in the meantime had dug a canal across the swampy land above New Madrid, so that vessels could pass through to that place without passing the island. Early in April, 3 of

the gunboats ran by the batteries of the island under cover of night, and Apr. 7 the Confederates found themselves surrounded by gunboats and transports laden with troops. Nothing remained but to surrender. Three generals, 273 field and company officers, 6,700 privates, 123 heavy guns and 35 field pieces, all of the latest pattern, 7,000 small arms, tents for 12,000 men, immense quantities of provisions and ammunition, hundreds of horses, mules, wagons, harness, etc., were captured. There were no casualties in the Federal army.

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Italy.—A kingdom in southern Europe, bounded on the north by Switzerland and Austria-Hungary, on the east by Austria-Hungary, the Adriatic Sea, and the Mediterranean, on the south by the Mediterranean, and on the west by France and the Mediterranean. The Government is a hereditary constitutional monarchy, consisting of a King and a Parliament of two branches—Senate and Chamber of Deputies. The chief exports are silk, olive oil, wine, and sulphur. The prevailing religion is Roman Catholic. The area of the country, including adjacent insular possessions, is 110,646 sq. miles; population (1901), 32,475,253. Italy has had since the time of the building of Rome perhaps the most eventful history of any land in Europe, having been at various times the seat of a world-republic, an empire, a Gothic kingdom, a spiritual empire, a number of independent states and provinces, and lastly a united free kingdom.

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Jackson (Miss.), Battle of.—After the engagement at Raymond, McPherson's column proceeded toward Jackson by way of Clinton, where it destroyed a portion of the railroad to prevent the sending of supplies from the east to Vicksburg. Sherman moved along the Raymond road. May 14, 1863, when within 2 miles of Jackson, both columns met the Confederates whom Gen. Joseph E. Johnston had been collecting in order to re-

enforce Pemberton at Vicksburg. The combined corps of Sherman and McPherson attacked the small force of Johnston and drove it through Jackson and toward Canton, taking some prisoners. The Union loss was 300. The Confederate loss was 845.

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Jamestown (Va.), Battle of.—Early in 1781 Virginia became the chief theater of the operations of the British and American armies. Benedict Arnold, having turned traitor to his country, was sent by Clinton, with 1,600 men, to the James River with orders to lay waste the country and destroy the stores at Richmond. Washington ordered Lafayette, with 1,200 light infantry, to capture Arnold. Lafayette arrived at Richmond Apr. 29, just in time to witness the burning of the extensive tobacco warehouses at Manchester, on the opposite side of the river, by Gen. Philips, who had succeeded Arnold. Philips had 2,000 men. Cornwallis abandoned his unprofitable campaign in the Carolinas and reached Petersburg, Va., May 20, 1781, having nearly 8,000 men. Lafayette, realizing his inability to hold Richmond against this large force, returned northward to the Rapahannock. Here he was joined June 7 by Gen. Wayne with about 800 Continentals. Returning, Lafayette formed a juncture with Steuben June 18, augmenting his force to about 4,000 men. Eluding Tarleton's command, he pursued Cornwallis back toward Richmond, which place the latter evacuated June 20, retiring toward Jamestown. July 6 Lafayette attacked Cornwallis near Green Springs, within a few miles of Jamestown. Lafayette distinguished himself for personal bravery in the fight, but was forced to retire to Malvern Hill. The American casualties were reported as 118 killed, wounded and missing. The British lost 75.

Japan.—"Land of the Rising Sun." An empire of Asia lying in the Pacific Ocean, east of China, Korea, and Siberia. It consists of 4 principal islands—the main island of Hondo or Nippon, Yezo, Shikoku, Kiushiu—and about 4,000 smaller islands, including the Loochoo and Kurile groups and the island of Formosa, which was acquired from China in 1895. The Japanese people are chiefly engaged in agriculture, but with growing industries of various kinds, Japan exporting largely silk, tea, rice, coal, copper, fish, lacquer, etc. The Government is a limited monarchy, with an Emperor, cabinet, and privy council and an Imperial Parliament consisting of 2 houses. Buddhism and Shintoism are the prevailing religions. The Emperor is called the Mikado, an enlightened sovereign, under whom Japan

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has made unexampled progress in the arts of Western civilization. Japan, like China, remained isolated from the rest of the world for many centuries. The dynasty of the Mikados, Japanese history informs us, has had a continuous existence since 660 B. C. Authentic history begins about 500 A. D. The Portuguese traded some with Japan between 1540 and 1638. With the exception of a limited trade with the Dutch, Japan held no commercial relations with the rest of the world till an American expedition under Perry, in 1853, forced a treaty upon her. This was followed by treaties with other countries. In 1867-68 a revolution transferred the power from the Shogun, the hereditary commander in chief of the army, who had held it for 500 years, to the titular Emperor, the Mikado. In 1894, in a war with China, the latter was completely defeated on land and sea. The war ended in 1895 with the payment of indemnity by China, the cession of Formosa, and the independence of Korea.

Russia's occupation of Manchuria after the uprising of the Boxers (q. v.) was a matter of vital importance to Japan, as it endangered the independence of Korea, and brought Russia into dangerous proximity to Japan on the shores of the China and Japan seas. In April, 1902, Russia had promised to withdraw from Manchuria in eighteen months, but in September, 1903, she informed the Powers that it would be impossible for her to withdraw at the time specified. In June, 1904, the Japanese Government opened negotiations with Russia looking to the latter's withdrawal from Manchuria; but, losing patience at what she regarded as the dilatory tactics of the Russian officials, on February 6, 1904, Japan broke off diplomatic relations with Russia, and four days later attacked the Russian fleet at Port Arthur, damaging several ships and driving the Russians into the harbor. From that time until the fall of the port, January 2, 1905, the Japanese fleet under Admiral Togo blockaded and bombarded Port Arthur, losing 2 battle ships and several smaller vessels, but inflicting still more damage on the Russians. Japan formally declared war on February 11, 1904, and China and the United States issued proclamations of neutrality. Japanese troops at once occupied Korea, and on May 1 forced the passage of the Yalu River. Three days later the Japanese began to land troops on the Liao Tung Peninsula, north of Port Arthur, and moving down the peninsula defeated the Russians at Nanshan Hill and Kinchau, seizing Dalny at the end of the month. A Russian force from the north under Stackelberg, attempting a diversion in favor of Port Arthur, was decisively defeated at Vafangow, June 15, and while Generals Kuroki and Oku followed up the retreating Russians, General Nogi after driving General Stoessel, the Russian commander, from his outlying positions, laid siege to Port Arthur at the end of July. On August 10, the Russian fleet in the harbor of Port Arthur, finding its position desperate, attempted to break out, a part of the vessels succeeding in reaching neutral ports, but the greater number being driven back into the port. Four days later the Russian squadron from Vladivostok, which had been

making desultory raids on Japanese commerce, was defeated by a Japanese fleet, under Admiral Kamimura, one Russian vessel being sunk and the rest badly damaged. On August 16, General Nogi demanded the surrender of Port Arthur, and, on General Stoessel's refusal, began an unsuccessful general assault which cost the Japanese 14,000 men. While Nogi's forces pressed the siege of the fortress the Japanese armies in the north, under the command of Marshal Oyama, the Japanese commander in chief, drove the Russians under Kuropatkin from Liao-Yang (Sept. 4), and checked a last attempt to relieve the city by repulsing a Russian advance over the Sha River (Oct. 14). By assaults and siege operations the Japanese steadily advanced upon Port Arthur, the capture of 203-meter Hill (Nov. 30) enabling them to bombard the fleet in the harbor, and on December 31, they broke through the inner line of defenses. On January 2, 1905, General Stoessel surrendered the city with 47,000 men. The Japanese loss during the siege was 50,000; the Russian not less than 20,000. The fall of Port Arthur left Nogi's forces free to join the army of the north under Oyama. After repulsing a Russian forward movement at the Hun River (Jan. 28), the Japanese assumed the offensive and again defeated Kuropatkin in a fifteen days battle (Feb. 23—Mar. 10) near Mukden, the ancient capital of Manchuria, and entered the city. About 750,000 men were engaged in this battle, operating on a front eighty miles long. The Russian loss was 90,000 killed and wounded, and 40,000 prisoners; the Japanese loss being less than half that of the Russian.

Meanwhile the Russian Baltic fleet, under Admiral Rogestvensky—their last naval resource, for the Black Sea fleet was confined within the Dardanelles by treaty stipulations, and demoralized by a mutiny of its sailors—had sailed from Libau (Oct. 1904), and was making its way to the East in several divisions by way of the Suez Canal and the Cape of Good Hope. An attack on an English fishing fleet in the North Sea (Oct. 21)—the Russians mistaking the fishing boats for Japanese torpedo boats—nearly involved Russia in war with England, the affair being finally settled by arbitration; and the prolonged stay of the Russians off Madagascar and in Kamranh Bay, Saigon, led to a protest from Japan to the French Government. On May 27, the Russian fleet encountered the Japanese under Admiral Togo, at the entrance to the Sea of Japan, and was practically annihilated, only 1 cruiser escaping to Vladivostok, and 3 to Manila, where they were interned. Six battleships, a coast defense battleship, and 4 cruisers were sunk; 2 battleships and 2 coast defense battleships surrendered; many torpedo boats and smaller vessels were sunk or captured; Admirals Rogestvensky and Nebogatoff were taken, with 3,000 of their men; and 14,000 Russians perished. The Japanese losses were inconsiderable. Shortly after the battle a Japanese force occupied the Island of Sakhalin. On June 11, President Roosevelt, after conference with the Japanese minister and the Russian ambassador, sent to Tokyo and St. Petersburg identical notes, urging the two governments to open direct peace negotiations with each

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other. This action resulted in the ending of the war by the treaty of Portsmouth (q. v.). Dissatisfaction with the result of the negotiations led to some rioting in Japanese cities. The area of the Empire is 147,655 sq. miles; population (1900), 44,805,937; reigning Emperor, Mutsuhito.

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Jay Treaty.—A treaty of peace and friendship between the United States and Great Britain, negotiated in 1794 by John Jay, on the part of the United States, and Lord Grenville, representing Great Britain. It provided for an evacuation of the British posts in the United States, free commercial intercourse on the American continent, unrestricted navigation of the Mississippi River, indemnity to citizens of each country for damages at the hands of privateers of the other, and a limited trade between this country and the British West Indies. The last-mentioned clause caused the treaty to be very unpopular in America.

Jayhawkers.—A name applied to bands of marauders who kept up a guerrilla warfare in eastern Kansas about the beginning of the Civil War. The Jayhawkers were so called because of the alleged similarity of their practices to those of a bird with this appellation.

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- Jenkins, Capt.** (See *Baltimore*, The.)
- Jennings, Nancy F.**, act granting pension to, vetoed, VIII, 661.
- Jesup, Thomas S.**, commander of forces in Seminole War, III, 253.
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- Jewett, Milo A.**, consul of United States at Sivas, Turkey, directed to investigate Armenian atrocities, IX, 559.
- Jicarilla Agency, N. Mex.**, appropriation for Apaches on, recommended, VIII, 105.

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Jingoism.—A political term borrowed from the English and applied to that style of writing or oratory usually known as spread-eagle or braggadocio. The mild oath "by jingo" is a corruption of "by Gingou," i. e., by St. Ginguolph. During the war in Bulgaria between Russia and Turkey in 1877 the British Conservatives, under Lord Beaconsfield, the premier, strongly advocated English intervention in behalf of Turkey. The Liberals, under Gladstone, were equally determined to avoid trouble and urged that Turkey be left to herself. Popular interest in the discussion grew to the point where it found expression in the music halls. "Jingo" was soon derisively applied to the war party, and they proudly accepted it. The term has since been commonly applied both in England and America to parties extravagantly enthusiastic in defense of the national honor.

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- Johnson, Richard M.**, military talents of, commented on, I, 535.
- Johnson, Samuel**, president North Carolina convention, I, 70.
- Johnson, William Samuel**, appointed on committee to receive President Washington, I, 44.
- Johnston, Joseph E.**, victories of national arms over Confederate forces under, referred to, VI, 241.
- Jonathan, or Brother Jonathan.**—A term used to denote the typical American. Its origin has been explained in several ways, but the most plausible seems to be that it grew out of Washington's reference to his friend and adviser, Jonathan Trumbull, governor of Connecticut.
- Jones, Benjamin F.**, act for relief of, vetoed, IX, 677.
- Jones, Charles E.**, act granting pension to, vetoed, IX, 672.
- Jones, J. B.**, treaty with Indians concluded by, VI, 394.
- Jones, Jacob**, commander of the *Wasp*, I, 521.
- Jones, John Paul**, remains of, discovered in Paris, X, 853, 854.
- Jones, Margaret**, act to increase pension of, vetoed, VIII, 563.
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- Jones, Thomas**, proceedings of, in taking possession of Monterey, Mexico, discussed, IV, 227.
- Jones, William**, Secretary of Navy:
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- Jones, The**, sum accruing from sale of, to be paid owners of, IV, 258.
- Jonesboro (Ga.), Battle of.**—On the night of Aug. 25, 1864, Gen. Sherman gave up the direct siege of Atlanta and attempted to gain possession of the Macon railroad to the southward. A part of his forces was moved back to the Chattahoochee to the northwest and others pushed southwest. The Army of the Tennessee, under Howard, having destroyed the roads southwest of Atlanta, moved east toward Jonesboro, 20 miles south of Atlanta. Hood, learning of this movement, sent Hardee's corps to defend Jonesboro. When Howard reached the town on the evening of Aug. 30 he found Hardee in possession. The latter attacked Howard on the 31st. After an engagement of 2 hours the Confederates retired with a loss of 1,400 killed and wounded. During the night Hardee retired to Lovejoy. Seeing his position in Atlanta indefensible, Hood on Sept. 1 blew up his magazines and evacuated the city, which was occupied by Gen. Slocum with the Twentieth Army Corps.
- Jorgen Lorentzen, The**, appropriation for seizure of, recommended, VI, 70.
- Josephine, The**, referred to, II, 467.
- Jouin, Henry**, mentioned, X, 710.
- Journals of Congress.**—The proceedings of Congress from 1774 to 1788 were first published at Philadelphia. They comprised 13 octavo volumes and were completed in 1788. This is the only record of the Continental Congress and that of the Confederation (except the "Secret Journals"), but contains no debates nor laws, that body being without legislative powers, although it adopted many resolutions, ordinances, and recommendations to the States. These journals were reprinted in Washington in 1823 in 4 octavo volumes. "The Journal, Acts, and Proceedings of the Convention Assembled at Philadelphia which Framed the Constitution of the United States" was published at Boston in 1819. There were also published in Boston in 1821 4 volumes of the "Secret Journals of the Acts and Proceedings of Congress from the First Meeting thereof to the Dissolution of the Confederation by the Adoption of the Constitution of the United States." According to the requirements of the Constitution, the Journals of Congress have been printed each session since its adoption. (See *Annals of Congress*; *Cong.*, etc.)
- Juarez, Benito P.**, President of Mexico:
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- Judge-Advocates, Corps of**, recommendation regarding, VII, 618.
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- Judges, District**, increase recommended in—
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- Judicial Salaries.** (See *Salaries, Judicial*.)
- Judiciary.**—The Federal judiciary system was modeled after that of Great Britain. In the early history of England and of the American colonies the legislative bodies had judicial powers, and the English Parliament is still known as the High Court of Parliament, and the Legislature of Massachusetts as the General Court. Most of these powers, however, were soon transferred to compacter bodies having exclusively judicial functions. Almost the only judicial function retained by legislative bodies is the power of impeachment of high officers. The first steps toward a Federal judiciary were the commissions which decided land cases between the States. Commissioners of appeal decided prize cases, and in 1781, under the Articles of Confederation, these were erected into a court. The Constitution of 1787 provided for a Supreme Court (q. v.) and such inferior courts as Congress might establish. By the judiciary act of 1789 circuit and district courts were established. In 1891 the circuit court (q. v.) of appeals was added to this system. The Court of Claims (q. v.), the Court of Private Land Claims, and a system of Territorial courts have also been established by Congress. The judiciary system of the several States is similar in a general way to that of the United States. (See also *Courts*.)
- Judiciary System** (see also *Justice, Department of*):
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Juilliard vs. Greenman.—One of several important legal-tender cases. Juilliard having contracted a sale of cotton for \$5,122.90 to Greenman, the latter paid \$22.90 in coin (which was accepted) and offered payment of the residue in United States notes. Juilliard refused to accept the notes, demanding gold or silver. The case came before the circuit court for the southern district of New York, which found a verdict for Greenman on the ground that notes issued by the United States are legal tender for payment of any debt. The Supreme Court, Mar. 3, 1884, the case having been appealed to that tribunal on a writ of error, affirmed this judgment, thus establishing the constitutionality of the legal-tender act of Mar. 31, 1862. George F. Edmunds and Benjamin F. Butler appeared as counsel in this cause, the former for plaintiff in error, the latter for defendant. Justice Gray, in delivering the opinion, stated that the prohibition in the Constitution of the United States to the several States to coin money, emit bills of credit, or make anything but gold and silver coin a legal tender for debts does not deny to Congress either of these powers. These are powers incident to sovereignty, and the impressing upon Treasury notes the quality of being legal tender in payment of private debts is an appropriate means, conducive and plainly adapted to the execution of the undoubted powers of Congress, consistent with the letter and spirit, and therefore within the meaning, of the Constitution. The wisdom and expediency of such meaning is a political question to be determined by Congress, and not a judicial question to be afterwards passed upon by the courts. Justice Field filed a dissenting opinion.

Jules et Marie, The, collision with United States steamer *San Jacinto*, appropriation to former recommended, VI, 142.

Junket.—A word applied to any feast or merry-making, convivial entertainment, or picnic. Politically, any trip, excursion, or entertainment by an official at public expense under the guise of public service. The form of a junket is usually a legislative investigation requiring travel to various points and large hotel bills.

Jurors, fees of, referred to, VIII, 143, 183, 249.

Jury.—A certain number of men selected according to law and sworn to inquire into or to determine facts concerning a cause or an accusation submitted to them and to declare the truth according to the evidence adduced. The custom of trying accused persons before a jury as practiced in this country and England is the natural outgrowth of rudimentary forms of trial in vogue among our Anglo-Saxon ancestors. The ancient Romans also had a form of trial before a presiding judge and a body of *judices*. The right of trial by jury is guaranteed by the Constitution in all criminal cases and at common law in cases where the amount in dispute exceeds \$20. A petit or trial jury consists of 12 men selected by lot from among all the citizens residing within the jurisdiction of the court. Their duty is to determine questions of fact in accordance with the weight of testimony presented and report their finding to the presiding judge. An impartial jury is assured by the practice of drawing by lot and then giving the accused the right to dismiss a certain number without reason and certain others for good cause. Each of the jurymen must meet certain legal requirements as to capacity in general and fitness for the particular case upon which he is to sit, and must take an oath to decide without prejudice and according to testimony presented. A coroner's jury or jury of inquest is usually composed of from 7 to 15 persons summoned to inquire into the cause of sudden or unexplained deaths. (See also Grand Jury.)

Jury System discussed, I, 331.

Jussen, Edmund, act for relief of, vetoed, VII, 214.

Justice, The Department of.—One of the nine Executive Departments of the Government, created by an act of Congress July 22, 1870. The separate colonies, however, in imitation of England, had had their attorneys-general from early times. By the Judiciary Act of September 24, 1789, the first Congress under the Constitution directed the appointment of an Attorney-General who should act as legal adviser to the President and heads of Departments and conduct cases in the Supreme Court in which the United States was concerned. The small salary of \$1,500 a year which Congress voted was fixed on the supposition that the Attorney-General would devote only a part of his time to his official duties. Edmund Randolph, however, the first occupant of the office, devoted his entire time to questions which arose in connection with the organization of the courts and their procedure. The salary was gradually increased until, in 1853, it was made \$8,000, equal to those of the other members of the Cabinet. No clerical force was provided, however, and not until 1818, during the attorney-generalship of William Wirt, was any appropriation made for clerical hire or office expenses. The clerical force was gradually increased until, in 1855, it consisted of nine employees, but the First Assistant Attorney-General was not appointed until 1859. A very important step was taken in the organization of the Department in 1861, when the Attorney-General was given control over the various district attorneys. By an act of Congress of 1870 what had been the Attorney-General's office

Justice, The Department of—Continued.

was formally organized as the Department of Justice. Under this act the office of Solicitor-General was created; two Assistant Attorneys-General (since increased to eight) were provided for, and the law officers of the other Departments were placed under the Attorney-General's control. Since its organization the work of the Department and the number of its employees have steadily increased until, at the present time (1906), about two hundred and sixty officers and employees in Washington and nearly thirteen hundred in various parts of the United States are under the control of the Department. The Attorney-General, the head of the Department, is the chief legal officer of the country. He is and has been from the beginning, a member of the President's Cabinet, and gives his advice and opinion when consulted by the President or heads of Departments. He also supervises the work of the district attorneys and United States marshals. Opinions on Constitutional questions must come from the Attorney-General himself; opinions on other matters may be given by his assistants. Trials in which the Government is interested may be conducted by the Attorney-General or the Solicitor-General, who acts as his assistant and assumes his duties in his absence. The Assistant to the Attorney-General, an office distinct from those of Assistant Attorneys-General, has special charge of matters arising out of the anti-trust and interstate commerce laws (q. v.). Eight Assistant Attorneys-General and one Special Assistant aid the Attorney-General and Solicitor-General, some having charge of special lines of business, such as the defense of cases in the Court of Claims (q. v.) and before the Spanish Treaty Claims Commission. The Special Assistant Attorney-General is at the head of the Bureau of Insular and Territorial Affairs. Special attorneys may be appointed when necessary. The Attorney-General also has supervision and control of the law officers connected with the various Departments, that is to say, the Assistant Attorneys-General for the Interior and Post-Office Departments, the Solicitors of the Department of State and the Treasury, and the Solicitor of Internal Revenue in the Treasury Department. These act as chief law officers of the Department or office with which they are connected. A General Agent of the Department has charge of United States jails and prisons, and an Accounting Division examines the accounts of United States district attorneys and marshals. The following is a list of Attorneys-General in the order of their appointment from 1789 to date: Edmund Randolph, Virginia; William Bradford, Pennsylvania; Charles Lee, Virginia; Levi Lincoln, Massachusetts; Robert Smith, Maryland; John Breckenridge, Kentucky; C. A. Rodney, Pennsylvania; William Pinkney, Maryland; Richard Rush, Pennsylvania; William Wirt, Virginia; John M. Berrien, Georgia; R. B. Taney, Maryland; B. F. Butler, New York; Felix Grundy, Tennessee; Henry D. Gilpin, Pennsylvania; J. J. Crittenden, Kentucky; Hugh S. Legaré, South Carolina; John Nelson, Maryland; John Y. Mason, Virginia; Nathan Clifford, Maine; Isaac Toucey, Connecticut; Rev-

erdy Johnson, Maryland; J. J. Crittenden, Kentucky; Caleb Cushing, Massachusetts; J. S. Black, Pennsylvania; E. M. Stanton, Pennsylvania; Edward Bates, Missouri; James Speed, Kentucky; Henry Stanbery, Ohio; W. M. Everts, New York; E. Rockwood Hoar, Massachusetts; Amos T. Akerman, Georgia; G. H. Williams, Oregon; Edwards Pierpont, New York; Alphonso Taft, Ohio; Charles Devens, Massachusetts; Wayne MacVeagh, Pennsylvania; B. H. Brewster, Pennsylvania; A. H. Garland, Arkansas; W. H. H. Miller, Indiana; Richard Olney, Massachusetts; Judson Harmon, Ohio; Joseph McKenna, California; John W. Griggs, New Jersey; Philander Chase Knox, Pennsylvania; William Henry Moody, Massachusetts.

Justice, Department of (see also Judiciary System):

Act making appropriation for certain judicial expenses, vetoed, VII, 541.
Appropriation for, recommended, VII, 522, 573.
Building for, recommended, X, 118.
Discussed by President—
Cleveland, VIII, 353, 793; IX, 447, 536.
Grant, VII, 199.
Harrison, Benj., IX, 115, 197, 320.
Issuance of commissions to officials by Attorney-General recommended, VII, 109.
Legal business of Government, manner of conducting, referred to, V, 238, 292.
Recommendation that Attorney-General be placed on footing with heads of other Executive Departments, I, 577; II, 314, 453; IV, 415.
Transfer of Patent Office from State Department to, recommended, IV, 415.

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Kabler, James E., act granting pension to, vetoed, VIII, 711.
Kalakaua, David, King of Hawaiian Islands: Coronation of, discussed, VIII, 174.
Death of, in United States discussed, IX, 188.
Visit of, to United States, VIII, 43.
Kane, Thomas L., mentioned, V, 505.
Kansas.—One of the United States; nicknames, "The Garden State," "The Sunflower State," etc.; motto, "Ad astra per aspera" ("To the stars through difficulties"). It is situated in the central part of the Union and extends from lat. 37° to 40° north and from long. 94° 38' to 102° west. Kansas is bounded on the north by Nebraska, on the east by Missouri (separated in part by the Missouri River), on the south by Oklahoma and the Indian Territory, and on the west by Colorado. It was a part of the Louisiana Purchase and was made a Territory in 1854. The Topeka constitution, prohibiting slavery, was framed in 1855 and the Lecompton constitution, which sanctioned slavery, in 1857. A civil war broke out between the adherents of these two constitutions. Finally, in 1859 the Wyandotte constitution, forbidding slavery, was adopted. The State was admitted to the Union Jan. 29, 1861. The soil is generally fertile. Agriculture, stock-raising and the manufacture of dairy products are the chief industries. Kansas City is the second larg-

Kansas—Continued.

est meat packing center in the country. Area, 82,080 sq. miles; population (1905), 1,575,000. (See also Lecompton Constitution; Topeka Constitution; Wyandotte Constitution.)

Kansas:**Act—**

For sale of Indian reservation in, VIII, 69.

To provide for sale of New York Indian lands in, vetoed, VIII, 653.

Admission of, into Union discussed, V, 449, 471, 497.

Recommended, V, 360, 478.

Affairs of, referred to, V, 418, 464, 465.

Boundary line of, survey of, recommended, V, 340.

Chief justice of, functions of, referred to, V, 425.

Constitutional convention in, discussed, V, 471, 499.

Disorders and revolutions in, discussed, V, 340, 352, 382; V, 404, 449, 471, 497, 646.

Proclamation against, V, 390.

Election in, and qualifications for electors discussed, V, 352, 449, 471, 497, 646.

Expenditures for persons called into service of United States in, V, 420, 421.

Fortifications in Lawrence, referred to, VI, 696.

Governmental organization in, disturbed, V, 352, 361, 365, 404, 449, 471, 497, 646.

Proclamation against unlawful combinations, V, 390.

Indian refugees in, referred to, VI, 209.

Joint resolution authorizing grant of lands to, for benefit of agriculture, etc., vetoed, VIII, 723.

Meetings in, interfered with by Army, V, 382.

Memorial from citizens of, regarding creation of new territory, etc., V, 580.

Military forces of United States sent to, referred to, VII, 59.

Public lands of, X, 524; XI, 1065.

Relief for suffering people in—

Recommended, V, 653.

Referred to, VI, 318.

Slavery in, discussed, V, 431, 450, 471, 497.

Soldiers employed in, to arrest violators of law referred to, V, 375.

Troops of, treatment of, captured by insurgents referred to, VI, 197.

Wea trust lands in, referred to, VI, 199.

Kansas Aid Society.—An organization to aid immigration into Kansas. Under the provisions of the Kansas-Nebraska Act, passed by Congress in May, 1854, the question of slavery in Kansas was left to the residents of the State for settlement, on the principle of local option or "squatter sovereignty." An immigrant aid association, which had been already formed in Massachusetts for the purpose, began sending antislavery settlers into the new Territory to forestall its settlement by slaveholders. Similar societies were organized in July, 1854, in New York and Connecticut. The settlers were provided with ample funds and means of defense against the settlers from the slaveholding States of the South. Meantime slavery advocates from Missouri were passing over the line and preempting large tracts of fertile lands. For 4 years the conflict for supremacy raged between the two parties, the antislavery party finally prevailing.

Kansas City, Fort Scott and Gulf Railway Co., act to authorize construction of railway through Indian Territory by, returned, VIII, 401.

Kansas City, Oklahoma and Pacific Railway Co., act authorizing construction and operation of railway by, through Indian reservations vetoed, IX, 576.

Kansas Indians:

Lands of, accounts for advertising sale of, VIII, 77.

Treaty with, II, 317, 323, 346, 477; IV, 423; V, 578; VI, 76, 212, 519; VII, 11.

Withdrawn, VII, 47.

Kansas-Nebraska Act.—By the Missouri Compromise of 1820 slavery was prohibited in all the region lying north of lat. 36° 30' with the exception of that lying in the State of Missouri. As a result of the Mexican War the limits of the United States were extended from the one hundredth meridian westward to the Pacific and southward to lat. 32° 30' north. By the Kansas-Nebraska Act, passed by Congress in May, 1854, Kansas and Nebraska were separated and organized into 2 distinct Territories, and the question of slavery was left to the people for settlement. As both these States lie north of the line above which slavery was prohibited by the Missouri Compromise, the passage of the bill practically repealed that measure. The status of Nebraska as a free State was soon determined, but the struggle in Kansas was long and bitter. It disrupted the Whig party and led to the establishment of the Republican party, and was an important link in the chain of events that brought on the Civil War.

Kansas-Nebraska Act:

Discussed, V, 451.

Referred to, V, 499.

Kanso, Straits of, vessels of United States interfered with by British vessels in, referred to, VII, 114.

Karstetter, Mary, acts to pension, vetoed, VIII, 469, 821.

Kaskaskia Indians. (See Illinois Indians.)

Kaskaskia Indians:

Lands—

Ceded to, I, 365.

Ceded to United States by, I, 359, 363.

Treaty with, I, 359, 363, 365; II, 47; V, 242; VI, 69, 518.

Kasson, John A., report of, on commercial relations with Cuba, X, 69.

Ka-ta-ka Indians, treaty with, III, 395.

Kautz, August V., member of court to try assassins of President Lincoln, etc., VI, 336.

Kaw Indians. (See Kansas Indians.)

Kearny, Philip, major-general in Army, nomination of, and reasons therefor, VI, 161.

Kearsarge, The.—A United States corvette built at Portsmouth, N. H., in 1861. She carried 163 officers and men, four 32-pounder and one 28-pounder guns, and two 11-inch rifles. She was commanded by Capt. John A. Winslow. Her greatest service was the sinking of the Confederate cruiser *Alabama*, off Cherbourg, France, June 19, 1864. The *Alabama* had done much damage to United States commerce, and the *Kearsarge* had been sent to sink her. When the *Kearsarge* opened fire her superiority in point of management and gunnery was at once apparent. One of her shells cut off the *Alabama's* miz-

Kearsarge, The—Continued.

zenmast, and another exploded, killing half her crew. Feb. 2, 1894, the *Kearsarge* was wrecked on Roncador Reef, in the Caribbean Sea. (See also Alabama Claims.)

Kearsarge, The, destruction of the *Alabama* by, referred to, VI, 256.

Keiley, A. M.:

Minister to Austria-Hungary, appointment of, and refusal of Government to receive, discussed, VIII, 325.

Minister to Italy and Austria-Hungary, appointment of, referred to, VIII, 366.

Keim, D. B. R., report of, on consular affairs and amount paid to, referred to, VII, 169, 206, 207.

Keith, Charles B., treaty with Indians concluded by, VI, 83.

Kelley, Ellen, act granting pension to, vetoed, VIII, 738.

Kelley, Mr., commissioner to investigate affairs of New York custom-house, IV, 152.

Kellogg, Lillian B. mentioned, X, 635.

Kellogg, William P.:

Candidate for governor of Louisiana, election disturbances discussed. (See Louisiana, elections in.)

Mentioned, VII, 223.

Kelly, Daniel H., act to place name of, upon muster roll of Second Tennessee Infantry vetoed, VII, 432.

Kenesaw Mountain (Ga.), Battle of.—Between the 1st and 6th of June, 1864, Sherman gradually moved his army so as to envelop Allatoona Pass. This compelled Johnston to withdraw his army from its strongly intrenched positions at New Hope Church and Acworth. Allatoona Pass was then made a depot of supplies, and June 8 Gen. Blair joined Sherman with 2 divisions of the Seventeenth Corps and a brigade of cavalry, raising his effective force to its original strength of 98,000. Johnston's force was 62,000. Sherman then advanced toward Kenesaw Mountain, and on June 14 an artillery duel took place in which the Confederate General Polk was killed. On the 15th and 17th of June the Confederates retired from Pine Mountain and Lost Mountain, and thoroughly intrenched themselves on Kenesaw Mountain. June 27 two assaults on the Confederate position were simultaneously made, one by Thomas and the other by McPherson. Both were repulsed. Nothing now remained for Sherman but to turn the position. July 2 the whole army was put in motion toward the Chattahoochee. The Confederates immediately abandoned their position on the mountain and retired to the river. Sherman's loss at the attacks on Kenesaw Mountain aggregated 3,000 men including Generals Harker and McCook. The Confederate loss was 630.

Kennebec Purchase.—In 1628 the council for New England granted to William Bradford and other Plymouth colonists a tract of territory along the Kennebec and Cobscooktee rivers for fishing purposes. This was sold in 1661 to Tyng and others, and has since been known as the Kennebec Purchase.

Kennon, Beverly, court-martial of, referred to, II, 242.

Kent, Edward, correspondence regarding northeastern boundary. (See Northeastern Boundary.)

Kentucky.—One of the United States; nick-

name, "The Corn Cracker State"; motto, "United we stand, divided we fall." The name is said to mean in the language of the Indians "Dark and bloody ground." It lies between lat. 36° 30' and 39° 6' north and long. 82° and 89° 38' west. It is bounded on the north by Ohio, Indiana, and Illinois (separated by the Ohio River), on the east by West Virginia (separated by the Big Sandy River) and Virginia, on the south by Tennessee, and on the west by Missouri (separated by the Mississippi River). A vast tract of land, including what is now Kentucky, was ceded to Great Britain by the Iroquois Indians in 1684. Kentucky was explored by Daniel Boone in 1769, and the first settlement was made at Harrodsburg in 1774. It was made a county of Virginia in 1776 and admitted to the Union June 1, 1792. It took a distinguished part in the War of 1812; the Mexican War, and the Civil War. Although a slave State, Kentucky wished to preserve neutrality in the latter war. Kentucky has abundant natural resources in the shape of coal and iron mines, hard wood forests, fertile soil and great water power facilities. Tobacco, corn and wheat are the chief agricultural products, Louisville being the largest leaf tobacco market in the world. Area, 40,400 sq. miles; population (1905), 2,361,891.

Kentucky (see also Louisville):

Admission of, into Union referred to, I, 81, 84, 86.

Amendment to Constitution, application to Congress to call convention for proposing, V, 663.

Arrests in, referred to, VI, 77.

Constitution adopted by, referred to, I, 128, 130, 132.

Constitution, amendment to, application to Congress to call convention for proposing, V, 663.

Digest of decisions of Supreme Court asked for, III, 277.

Martial law established in, and writ of *habeas corpus* suspended by proclamation, VI, 219.

Proclamation revoking, VI, 331.

Militia of, commended for Indian service, I, 104.

Officers of, attempt to bring Aaron Burr to justice, I, 415.

Ratification of amendment to Federal Constitution by, referred to, I, 259, 260.

Kentucky Resolutions.—Nine resolutions prepared by Thomas Jefferson and passed by the Kentucky legislature in 1798. These and the Virginia Resolutions were the outgrowth of a feeling that the Federal party, in passing the alien and sedition laws, was making an illegitimate use of the power granted to the Government by the Constitution. The resolutions declared that the Union was not based on the "principle of unlimited submission to the General Government;" that the Constitution was a compact to which each State was a party as related to its fellow States, and that in all cases not specified in the compact each party had a right to judge for itself, as well of infractions as of the mode and measure of redress. They then proceeded to set forth the unconstitutionality of the alien and sedition laws and invited other States to join in declaring them void. A tenth resolution was passed the following year declaring that nullifica-

Kentucky Resolutions—Continued.

tion of a Federal law by a State was the rightful remedy for Federal usurpation of authority. Upon these resolutions were based in part the doctrines of nullification and secession.

Kernan, John D., member of Strike Commission, IX, 551.

Kernstown (Va.), Battle of. (See Winchester (Va.), Battles of.)

Kerr, J. Bozman, chargé d'affaires in Nicaragua, mentioned, V, 151, 159.

Kerr, Joseph, commissioner for Cumberland road, I, 418.

Kerr, Michael C., Speaker of House of Representatives, death of, announced, VII, 398.

Kettle Creek (Ga.), Battle of.—Feb. 14, 1779, Col. Andrew Pickens, of South Carolina, and Col. Dooley, of Georgia, with 300 men, surprised Col. Boyd's provincials on the north side of Kettle Creek, in Wilkes County, Ga. A short skirmish ensued, in which Boyd's Tories were routed with considerable loss on either side.

Keweenaw, The. (See *Baltimore*, The.)

Key, Thomas M., interview with Gen. Cobb regarding exchanging of prisoners of war, VI, 258.

Key West, Fla.:

Blockade of port of, having been inadvertently included among those which were not to be opened to commerce, removed by proclamation in April, 1865, VI, 281.

Fever prevalent at, II, 213.

Health of squadron at, referred to, II, 258.

Keyes, Stephen, collector of port, nomination of, I, 99.

Keys, Crawford, trial and conviction of, for murder of Emory Smith, and subsequent release of, referred to, VI, 461.

Khedive. (See *Egypt*.)

Kibble, J. Hudson, pensioned, X, 715.

Kickapoo Indians.—A tribe of the Algonquian stock of Indians, who early inhabited the valleys of the Ohio and Illinois rivers. The name was used by the Indians to describe smooth running rivers without rapids. In 1779 they allied themselves with the Americans against the British, but later turned and fought the new government until they were subjugated by Wayne in 1795, when they ceded part of their lands to the whites. In 1802, 1803, and 1804, the Kickapoos ceded more territory. They joined Tecumseh and fought against the whites at Tippecanoe in 1811. They united with the British in the War of 1812, but were badly defeated. By treaties made in 1815, 1816, and 1819 they ceded still more of their territory. Portions of them became roving bands. Some of them were removed to Kansas, and afterwards a portion of the tribe migrated to Mexico, whence about 400 were in 1873 returned by the Government and placed upon a reservation in the Indian Territory. In 1894 their number in the United States and Mexico was estimated at 762.

Kickapoo Indians:

Agreement between Cherokee Commission and, IX, 203, 214.

Settlement of estates of deceased, referred to, VIII, 70, 189, 368.

Treaty with, I, 363, 479, 569, 581, 582; II, 66, 81, 85, 610; V, 240; VI, 83, 518.

Kidnapping of American child in Mexico referred to, VI, 374.

Kiel Canal, encomiums bestowed on American vessels at opening of, IX, 630.

Kik-ai-llus Indians, treaty with, V, 379.

Kilbourn vs. Thompson.—A case decided by the Supreme Court in 1880 denying the right of the Senate or House of Representatives to punish anyone except their own members for contempt of their orders. Kilbourn was summoned as a witness before the House in 1876 and required to answer questions as to his private business and to produce certain papers. He refused, whereupon Sergeant-at-Arms Thompson was ordered to imprison him in the jail of the District of Columbia. He remained in prison 45 days. He was then released on a writ of *habeas corpus*. He brought suit for false imprisonment against Thompson and the members of the committee who caused his arrest. The court decided that the House might punish its own members for disorderly conduct, but that the Constitution did not give either branch of Congress general authority to punish for contempt. It was held, Justice Miller delivering the opinion, that neither House of Congress is a part of any court of general jurisdiction. Judgment was given for Kilbourn, which was paid by an appropriation by Congress.

Kimball, James P., Director of Mint, nomination of, and reasons therefor, VIII, 367.

Kimberly, Lewis A., dispatched to Samoa, VIII, 805.

King, John H., acts and proceedings of, declared null and void, VI, 350.

King, Jonas, difficulties of, with Greece referred to, V, 240, 295.

King, Rufus, special minister plenipotentiary to negotiate treaty with Russia, nomination of, I, 282.

King, Sam. W., correspondence regarding Dorr's Rebellion, IV, 286, 290, 292, 293, 294, 298, 299, 303.

King, Thomas B., special agent to California, V, 27.

Report of, referred to, V, 41.

King, William B., Vice-President, death of, announced and honors to be paid memory of, V, 205.

Referred to, V, 225.

King Philip's War.—Philip, son of Massasoit, sachem of the Wampanoag Indians and a friend to the early settlers of Plymouth, determined to drive away or kill all the European settlers in his territory. His camp was at Mount Hope, R. I., and his first blow was struck at Swansea, Mass., July 4, 1675. The settlers took up arms in defense and drove the Indians to the more remote settlements. Philip was reinforced by other tribes, but the Indians suffered many defeats and were finally subdued. Philip was shot in a swamp by a treacherous Indian and his head was carried in triumph to Plymouth. His son, the last of the line, was sold into slavery and sent to Bermuda.

Kings Mountain (S. C.), Battle of.—Early in October, 1780, Cornwallis sent Colonels Tarleton and Ferguson from Charleston to invade North Carolina, enroll local militia, and compel the allegiance of the people. On the 6th Ferguson, finding himself hotly pursued by the Americans, took up a strong position on Kings Mountain, near the boundary line between North and South Carolina. The next day his army, about 1,500 strong,

Kings Mountain (S. C.), Battle of—*Continued.*

was attacked by about the same number of American militia under command of Colonels Shelby, Campbell, Cleveland, McDowell, Sevier, and Williams. After a desperate struggle, lasting an hour, in which Ferguson was killed, the British force surrendered. The casualties on the British side were 387 killed or so badly wounded as to be left upon the field and about 1,200 taken prisoners. The Americans lost 28 men killed and 60 wounded. Fifteen hundred muskets and other arms fell into the hands of the Americans.

Kinney, Ann, act granting pension to, vetoed, VIII, 480.

Kiowa Indians:

Agreement between Cherokee Commission and, IX, 333.

Claim of, discussed, IX, 327.

Lands of, opened to settlement, X, 488, 514.

Treaty with, III, 395; V, 229; VI, 193, 598.

Kirby, Edmund, mentioned, III, 96.

Kirkpatrick, John S., act granting pension to, vetoed, VIII, 455.

Kishnef Massacres discussed, X, 833.

Kitchen Cabinet.—A name applied to a group of intimate political friends of Andrew Jackson who, it was charged, had more influence over his official actions than his constitutional advisers. They were Gen. Duff Green, editor of the United States Telegraph, published at Washington as the organ of the Administration; Maj. William B. Lewis, of Nashville, Tenn., Second Auditor of the Treasury; Isaac Hill, editor of the New Hampshire Patriot, and Amos Kendall, of Kentucky, Fourth Auditor of the Treasury.

Kittery, Me., dry dock at, IV, 564.

Klamath Forest Reserve, proclaimed, X, 882.

Klamath Indians.—A tribe of Indians numbering some 600, distributed among 11 settlements in the Klamath Reservation, in Oregon. They formerly occupied a part of California, but the influx of whites led to trouble in 1851. Peace was soon restored. In 1864 they ceded large tracts of land to the Government and settled on a reservation.

Klamath Indians, treaty with, VI, 269.

Knight, Richard R., act to pension, returned, IX, 566.

Knights of Labor.—A secret order of workmen, founded by Uriah S. Stevens in Philadelphia in 1869, and formally organized as a national body, with district and local assemblies, in 1871. It was not until 1881 that the name of the order was made public. At that time nearly all the trades were represented. Each trade formed a district, as nearly as possible. The knights are governed by a general executive board, presided over by a general master workman, which has power to order strikes and boycotts. The membership is about 220,000. They have ordered many strikes among coal miners and railroad operatives. Perhaps the greatest strike ever undertaken by the general assembly of the order was that on the Missouri Pacific system, which failed. A general strike of the district composed of telegraphers also failed. The object of the order is the amelioration of the condition of workmen.

Know-Nothings, or Know-Nothing Party.—A name applied to the American party, which advocated the control of the Govern-

ment by native citizens. Its members received the name of "Know-Nothings" because from the time of the organization of the party, in 1853, till 1855 it was a secret fraternity, and when questioned as to its objects or workings its members professed to know nothing about it. The party was powerful for several years. In 1856 it nominated Millard Fillmore for the Presidency. In 1855 a society called the "Know-Somethings" was formed to oppose the Know-Nothings.

Knowlton, Harriet M., act to restore pension to, vetoed, IX, 756.

Knox, Henry:

Commissioner appointed by United States

under treaty with Great Britain, I, 196.

Commissioner to treat with Indians, I, 78.

President attended by, meets and advises with Senate respecting treaty with Indians, I, 61.

Proceedings of Cabinet were signed by him as attendant adviser of President Jefferson.

Knoxville (Tenn.), Siege of.—Sept. 3, 1863, Gen. Burnside, with the Army of the Ohio, occupied Knoxville, Tenn. Upon his advance the Confederate General Bragg evacuated eastern Tennessee and joined Bragg at Chattanooga. Early in November Longstreet, with 16,000 men, was detached from Bragg's army and sent to regain possession of Knoxville. Burnside, with a force of 12,000, met Longstreet at Campbells Station, Tenn., Nov. 16, and retarded his advance long enough to enable him to concentrate his forces at Knoxville. Longstreet then besieged that town. Nov. 18 and 20 he unsuccessfully assaulted the Federal works. Meantime Grant had defeated Bragg at Chattanooga, and Sherman, with 25,000 men, was sent to the relief of Burnside. Dec. 5, 1863, Longstreet, hearing of the approach of Sherman, raised the siege and retreated toward Virginia. Sherman thereupon returned to the line of the Hiwassee, leaving 2 divisions under Gen. Granger to sustain Burnside.

Kock, Bernard, agreement with, for emigration of negroes canceled, VI, 167.

Kootenay Indians:

Agreement with, for sale of lands, VIII, 153, 192.

Treaty with, V, 380.

Korea, or Corea.—An Empire of Asia. It is bounded on the north by Manchuria, on the east by the Sea of Japan, on the south and southeast by Korea Strait, and on the west by China and the Yellow Sea. The surface is mountainous. The Government is a monarchy, but the power of the Emperor is modified by a Cabinet controlling legislation. It became independent of China in 1895 as the result of the war between that country and Japan. In 1905 the independence of the country was restricted by the establishment of a protectorate by Japan. Area estimated at 82,000 sq. miles; population, 8,000,000 to 16,000,000.

Korea:

Chemulpo, agreement respecting foreign settlement at, VIII, 806.

Consular courts in, organization of, recommended, VIII, 783; IX, 36; X, 847.

Regulations for, IX, 240.

Diplomatic relations with, discussed, VIII, 174, 330, 782.

Legation of United States at, premises for, discussed, VIII, 236.

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Military instructors desired by, and recommendations regarding, VIII, 269, 330.

Minister and party sent to conclude treaty with, treacherously attacked, VII, 145.

Result of expedition discussed, VII, 145.

Mission from, received, VIII, 782.

Treaty with, VIII, 111.

Referred to, VIII, 128, 170, 174.

War between China and Japan regarding. (See Wars, Foreign.)

Kosciusko, statue of, at Washington, D. C., X, 712.

Kossuth, Louis:

Liberation of, and companions referred to, V, 111, 119.

Misunderstanding of, with Capt. Long referred to, V, 146.

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Ku-Klux Klan.—A secret organization in several of the Southern States soon after the Civil War. Its exact origin was never given. It was claimed that a copy of the constitution (prescript, as it was termed) of the order was obtained, from which it was learned that their lodges were called dens; the masters, cyclops; the members, ghouls. A county was called a province and was governed by a grand giant and 4 goblins. A Congressional district was a dominion, governed by a grand titan and 6 furies. A State was a realm, governed by a grand dragon and 8 hydras. The whole country was the empire, governed by a grand wizard and 10 genii. They appeared only at night and carried banners. Their dress was a covering for the head, descending over the body, holes being cut for eyes and mouth, the covering being decorated in any startling or fantastic manner. Its object was to suppress the negro as a factor in politics, by means of intimidation and terrorization and, for a time, many of the most prominent and respectable citizens of the Southern States belonged to it; but later the more respectable element withdrew and the organization outran its original purpose. In many localities gross disorders and crimes were committed by persons in disguise, who were either members of the Klan or who were using the disguise and methods of the order for evil purposes. A Congressional investigation followed, and President Grant in a message asked for legislation to suppress the order, etc. The Ku-Klux act (see Force Bill) was passed in 1871. The same year the President issued proclamations on the subject, and soon thereafter the Klans dispersed and ceased to exist.

Ku-Klux Klan (see also Rifle Clubs; White Leagues):

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Compulsory insurance of workmen in Germany, etc., IX, 347.

Gothenburg system of regulating liquor traffic, IX, 350.

Housing of working people, IX, 569.

Industrial education, IX, 347.

Slums of cities, IX, 479.

Labor Day.—The first Monday in September has been made a holiday by 36 States and by the United States in the District of Columbia. It was first observed in Colorado in 1887. Meetings for the discussion of labor questions are held. There are usually parades, picnics, and dances. In Europe May 1 is celebrated as a labor festival and there are demonstrations by workmen.

Labor, Department of.—The profound study of the labor question is strictly modern. More consideration has been given to it within the last third of a century than during any previous century in the world's history. It has awakened greater interest among the masses in the United States than in any other country of the world. By an act of Congress approved June 13, 1888, the Department of Labor was created to take the place of the Bureau of Labor, which had been established in the Department of the Interior, in 1884. By an act of Congress approved February 14, 1903, creating the Department of Commerce and Labor, this department was made the Bureau of Labor in the Department of Commerce and Labor (q. v.). The head of this department was called the Commissioner of Labor, whose duties were in general to collect

Labor, Department of—Continued.

and diffuse among the people information pertaining to questions affecting labor. One of the principal matters upon which he was called upon to report was the topic of wages. He was also expected to consider the subject of the effect of customs laws upon the currency and the agricultural interests of the United States. On account of the increasing number and diversity of industrial interests, the annual reports of this department were among the most closely scanned of any issued by the Government.

Labor, Hours of:

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Power of courts to grant injunctions in labor disputes, XI, 1141.
Relations of National Government to the, X, 426, 533, 805.

Labor Statistics, Bureau of, act to establish, omissions in, referred to, VIII, 220.

Labor Statistics, Bureaus of.—In response to demands of working people in various parts of the country, many States and the United States have established bureaus of labor statistics. The first office of the kind was established in Massachusetts by an act of June 23, 1869. Others were established as follows: In Pennsylvania in 1872; Connecticut in 1873 (abolished in 1875 and reestablished in 1885); Ohio in 1877; New Jersey in 1878; Indiana, Missouri, and Illinois in 1879; California, Wisconsin, New York, and Michigan in 1883; Maryland and Iowa in 1884. By an act of Congress of June 27, 1884, the United States Bureau of Labor was established, and by an act of June 13, 1888, it was succeeded by the Department of Labor; to be succeeded in turn by the Department of Commerce and Labor (q. v.), which was established by an act of January 17, 1903. Thirteen States other than those named have organized labor bureaus.

Laborers, Alien, discussed, IX, 633; X, 123, 230.
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Lady Franklin Bay Expedition, expedition fitted out for relief of, VIII, 248.

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Lafayette, George W.:

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pendence bequeathed to Congress by father of, letter of, presenting, III, 123.

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Lafayette, Marquis de:

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Resolutions of Congress on, transmitted to family of, III, 124.

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Lafayette, Ind., act for erection of public building at, vetoed, VIII, 569.

Laftie & Co., memorial from trustees of, presented, III, 431.

Lake Borgne (La.), Battle of.—The British army, repulsed at Baltimore, retired to the island of Jamaica. Being there reinforced by a sufficient number to make a total of above 7,000 men, it sailed from Jamaica Nov. 26, 1814, in Admiral Cochrane's ships, with the intention of capturing New Orleans, and thus securing possession of the Mississippi River and the Territory of Louisiana. Early in December Daniel T. Patterson, commanding the naval station at New Orleans, sent Lieut. Thomas A. C. Jones with 7 small vessels, mounting 23 guns and carrying 182 men, to intercept the British fleet. The British, Dec. 14, 1814, manned 60 barges with 1,200 volunteers from the fleet, under Capt. Lockyer, and sent them out to destroy the American gunboats. The battle took place on Lake Borgne, and lasted almost an hour. Several of the British barges were shattered and sunk and about 300 men killed and wounded. The Americans lost only 6 men killed and 35 wounded. The American gunboats were captured, which gave the British control of Lake Borgne.

Lake Champlain:

Act to authorize construction of bridge across portion of, vetoed, VIII, 475.

Insurgents on, proclamation against authorizing militia officers to dispel by force, I, 450.

Victory of American squadron on, I, 549.

Lake Champlain, Battle of.—After arriving at the head of Lake Champlain, Sept. 6, 1814, Governor-General Prevost awaited the cooperation of the British fleet on the lake. Sept. 11 Capt. Downie's squadron rounded Cumberland Head. It consisted of the frigate *Confidence*, brig *Linnet*, sloops *Chub* and *Finch*, and 12 gunboats—in all, 16 vessels, of about 2,402 tons, with 937 men and a total of 92 guns, throwing a broadside of 1,192 pounds. In Cumberland or Plattsburg Bay,

Lake Champlain, Battle of—Continued.

awaiting the attack, lay the American squadron, under Capt. Thomas Macdonough, then only 28 years of age. It consisted of the ship *Saratoga*, brig *Eagle*, schooner *Ticonderoga*, sloop *Preble*, and 10 gunboats—in all, 14 vessels, of 2,244 tons and 882 men, with 86 guns, throwing a broadside of 1,194 pounds. Kneeling beside his heaviest gun, surrounded by his men, the young captain invoked divine protection and guidance. The first shot from the *Saratoga* was aimed by Macdonough and went entirely through the flagship of the British squadron, demolishing her wheel. The battle raged 2 hours and 20 minutes, when every British vessel struck her colors. Both squadrons were badly crippled. The British loss was more than 200, including Capt. Downie. The American loss was 110, of whom 52 were killed.

Lake Erie:

Rise of waters of, referred to, III, 346.

Victory of American squadron on, I, 534.

Lake Erie, Battle of.—In 1813 the Americans, under great difficulties, constructed a fleet of war vessels at Presque Isle, now Erie, Pa., for service on the Lakes. Aug. 12, 1813, the American squadron, consisting of the *Lawrence*, *Niagara*, *Caledonia*, *Ariel*, *Somers*, *Tigress*, *Scorpion*, *Porcupine*, *Ohio*, and *Trippie*, manned by less than 400 officers and men, under Capt. Oliver H. Perry, set forth in search of Barclay's British squadron of 6 vessels, manned by more than 500 men. Sept. 10 Perry's lookout sighted the enemy. At 10 o'clock in the morning the signal for action was run up to the masthead of the *Lawrence*. It bore the words of the dying Capt. Lawrence, of the *Chesapeake*: "Don't give up the ship." During the action the *Lawrence* was disabled and Perry transferred his flag to the *Niagara*. At 3 o'clock in the afternoon the flag of the British flagship was struck. The firing ceased. It was the first time an American fleet had met a British fleet in regular line of battle. The engagement was fairly fought, with the Americans at a disadvantage, and the British fleet surrendered. Perry sent word to Gen. Harrison: "We have met the enemy and they are ours." The British loss in the action was 135, 41 of whom were killed. The Americans lost 123, 27 of whom were killed.

Lake Memphremagog, practicability of connecting Connecticut River with, II, 307.

Lake Michigan, improvement of harbors and rivers on, V, 231.

Lake of the Woods, boundary line with Great Britain regarding, referred to, VII, 187, 237, 289, 402.

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Lake Ontario, movements of American squadron on, I, 535.

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Lake Traverse Reservation:

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Landreau, John C., claim of, against Peru referred to, VII, 511.

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Lands, Arid. (See Irrigation.)

Lands, Bounty:

Appropriation for carrying out laws regarding, referred to, V, 307.

Frauds in, discussed and recommendations regarding, V, 178.

Grant of, to Mexican War soldiers recommended, IV, 515.

Granted persons who have been engaged in military service, I, 570; V, 128, 290.

Recommended, VI, 186.

Referred to, III, 627.

Lands, Crown.—After the treaty of Paris in 1763, by which Great Britain acquired Canada and all the country west of the Mississippi River, a royal proclamation was issued setting aside all the lands west of the Colonies and extending to the western limits of the British possessions as Crown lands. These lands were reserved for the use of the Indians, and the colonists were forbidden to make settlements in or purchases of them without permission of the home Government. After the Revolution each State laid claim to a portion of the Crown lands.

Lands, Desert:

Discussed, VIII, 795.

Repeal or modification of laws regarding, recommended, VIII, 522.

Lands, Indian:

Accounts for advertising Kansas, referred to, VIII, 77.

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Lands, Public.—In 1787 the price of public land was 66½ cents per acre, at which figure large tracts northwest of the Ohio were disposed of. In 1790 Alexander Hamilton proposed that the public lands should be laid out in townships 10 miles square and sold on credit. Previous to the year 1800 all the land sold, amounting in all to nearly 1,500,000 acres, was situated in that part of the territory now included in the State of Ohio. Local registers were then established, and the rectangular system of survey was adopted. Many purchases were made on credit, but collections were slow and discouraging. In 1835, during the inflated condition of the currency, speculation in the public lands proved injurious to the public interests, and President Jackson issued an order directing that nothing but gold and silver should be received in payment in land sales. A general preemption law was enacted in 1841, but repealed in 1891. The public lands remaining unappropriated and unreserved amounted in 1905 to 817,527,157 acres; the area reserved amounted to 183,717,208 acres. The total cash receipts of the General Land Office for the same year came to \$7,017,811. Many grants of land have been made to States, railroad and canal companies, and individuals. The homestead law of May 20, 1862, providing for a uniform rate of \$1.25 per acre to actual settlers upon quarter sections, greatly stimulated settlement upon the public lands.

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- Lands, Swamp.**—In 1849 and 1850 Congress passed resolutions granting large tracts of land to the various States for their disposal. Agents of the States selected such lands as were unfit for cultivation, and title to the same was confirmed in the States by an act approved Mar. 3, 1857. At the time of the grant it was estimated from Government surveys that the swamp lands would not exceed 21,000,000 acres. Millions of acres, however, were listed as swamp lands. This led to an investigation, and gross frauds were unearthed. Under the various acts lands have been granted to Alabama, Arkansas, California, Florida, Illinois, Indiana, Iowa, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Oregon, and Wisconsin. Florida has received the largest share—22,500,000 acres—and Ohio the least—117,000 acres. In many instances the States have sold the lands to railroad companies.
- Lands, Swamp**, discussed, IX, 542.
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- Lane, James H.**, brigadier-general, United States Army, appointment of, referred to, VI, 35.
- Lang, Mary Ann**, act granting pension to, vetoed, VIII, 685.
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- Larned, Samuel,** treaty with Peru-Bolivian Confederation concluded by, III, 346.
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- Las Guasimas (Cuba),** Battle of. (See Santiago (Cuba), Battle of.)
- Lasker, Edward,** death of, referred to, VIII, 207.
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- Latham, William S.,** act granting pension to, vetoed, VIII, 736.
- Latimer, Henry,** district supervisor, nomination of, I, 99.
- Latimer Case.**—The first of a series of fugitive-slave trials which took place in Boston. George Latimer was seized in 1842 without a warrant, and kept in the custody of the city jailer awaiting evidence against him. A writ of *habeas corpus* was denied. A writ of personal replevin, asked for under the act of 1837, securing trial by jury, was also denied, this act being declared void. As a consequence of the indignation aroused by this case the legislature in 1843 passed an act forbidding State officers to aid in the capture of fugitive slaves and forbidding the use of State jails for their imprisonment. The sum forfeited for violation was not exceeding \$1,000 or imprisonment not exceeding one year.
- Latin-American Library,** establishment of, at Washington recommended by International American Conference, IX, 71.
- Latin Union.**—The name given the monetary alliance of Belgium, France, Italy, and Switzerland formed by convention Dec. 23, 1865. Greece joined the union in 1868. The object was the maintenance and regulation of a uniform interchangeable gold and silver coinage based on the French franc. Belgium withdrew from the union in 1885 and adopted the single gold standard.
- Latin Union.** (See Monetary Convention of Latin Union.)
- Latter-Day Saints.** (See Mormon Church; Polygamy.)
- Lattimer, Pa.,** claims of Austria-Hungary arising out of conflict between miners and sheriff at, discussed, X, 99, 138.
- Laurason, George C.,** collector of customs for the district of New Orleans, pending a dispute over the legality of same. The case of *Marbury vs. Madison* (q.v.), is cited in the discussion. Appointment of, discussed, V, 148.
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- Lawrence, George W.,** bill for relief of administratrix of, vetoed, IX, 139.
- Lawrence, James,** commander of the *Hornet*, I, 528.
- Lawrence, John,** appointed on committee to meet President Washington, I, 45.
- Lawrence, William B.,** chargé d'affaires to Great Britain, accounts of, referred to, II, 470, 473.
- Lawrence, Kans.,** fortifications at, referred to, VI, 696.
- Laws of United States** (see also Revised Statutes):
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- Lawson, Thomas,** Surgeon-General United States Army, directed to accompany ex-President Jackson home, III, 323.
- Lawton, Okla.,** mentioned, X, 514.
- Lazare, A. H.,** imprisonment of, in Haiti and claims arising out of, discussed, VIII, 333, 535, 538; IX, 667.
- Lea, James,** member of legislative council for Mississippi Territory, nomination of, I, 457.
- Leach, D. C.,** treaty with Indians concluded by, VI, 259.
- Lead Mines.** (See Mines.)
- Leadville Forest Reserve,** proclaimed, XI, 904.
- League Island, Pa.** (situated in the Delaware River near the junction with the Schuylkill), bill accepting, for naval purposes referred to, VI, 451.
- Leander, The.**—A British war ship, which, while lying off Sandy Hook, Apr. 25, 1866, fired a shot which killed a sailor aboard an American coaster. The citizens of New York in mass meeting denounced the outrage and called upon the President for better protection. President Jefferson issued a proclamation ordering the arrest of the *Leander's* captain if found within the jurisdiction of the United States (I, 402).
- Leander, The:**
American citizen murdered by shot from, I, 402.
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- Lear, Tobias:**
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- Learning, Institutions of.** (See Education; Military Academy; National University; Naval Academy; Seminaries of Learning.)
- Leary, John,** act granting pension to widow of, vetoed, VIII, 708.
- Leatherbury, P. A.,** act for relief of, vetoed, VIII, 695.
- Leavenworth, Henry:**
Attack upon Indians led by, II, 212.
Death of, referred to, III, 113.
- Lecompte, Samuel D.,** judicial conduct of, referred to, V, 425.
- Lecompton Constitution.**—During the struggle in Kansas over the question of entering the Union as a free or a slave State, the pro-slavery party held a convention at Lecompton Sept. 5, 1857, and adopted a constitution sanctioning slavery and forbidding the enactment of emancipation laws. It was provided that the constitution as a whole should not be submitted to the people of the Territory, the vote being taken only on the main question of a constitution with slavery or a constitution without slavery. Free-State advocates refused to vote, and the constitution sanctioning slavery was adopted. Later the Territorial legislature ordered a vote on the constitution as a whole, and, the slave-State settlers abstaining from voting, it failed of adoption. (See also Kansas; Topeka Constitution; Wyandotte Constitution.)
- Lecompton Constitution.** (See Kansas, government of.)

- Lee, Col.**, commissioner, United States, II, 212.
- Lee, Richard H.**, appointed on committee to conduct ceremonies of administration of oath to President Washington, I, 48.
- Lee, Samuel P.**, thanks of Congress to, recommended as a naval officer commanding one of the vessels engaged in the operations under Flag-Officer Farragut at Forts Jackson and St. Philip, at New Orleans, 1862, VI, 76.
- Lee, The**, demand of Great Britain for surrender of mutineer in, referred to, III, 591.
- Leese, Fred. J.**, act granting pension to, vetoed, VIII, 435.
- Legal-Tender Acts**, modifications in, recommended, VII, 348.
- Legal-Tender Cases.**—During the financial emergency caused by the Civil War Congress in 1862 issued \$150,000,000 of Treasury notes, the law authorizing their issue making them legal tender for all private debts and public dues except duties on imports and interest on the public debt. The constitutionality of the act authorizing these notes was frequently disputed, especially as to its application to debts contracted prior to its passage, and the Supreme Court was called upon in several cases to decide the question. State courts generally maintained the constitutionality of the law. The Supreme Court in 1869 (*Hepburn vs. Griswold*, q. v.) maintained the validity of the law only in so far as it did not affect contracts made prior to its passage. A year later this decision was overruled, and the constitutionality of the law in its application to preexisting debts was maintained. The court in the meantime had undergone a change in its membership, 2 new judges having been appointed. (See also *Juilliard vs. Greenman*.)
- Legal-Tender Notes**, redemption of, recommended by President—
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- Legation Asylum**, action of American minister to Chile in harboring criminals discussed, IX, 435.
- Legations:**
Military and naval attachés at, recommended, VIII, 338.
Official residences for ambassadors and ministers recommended, IX, 640, 723.
Premises for, discussed, VIII, 236, 238, 275, 338.
Appropriation for erection of buildings on, recommended, IX, 59.
Public documents or libraries in, referred to, VII, 116.
Secretaries at large, appointment of, recommended, VIII, 338.
- Leggett, Mortimer D.**, Commissioner of Patents, recommendation of, referred to, VII, 161.
- Legislature.**—The body of men in a state or kingdom invested with power to make and repeal laws. Colonial legislatures were generally modeled after the British Parliament, the King, Lords, and Commons having their counterparts in the governor, the council appointed by him, and the representatives of the people. Parliamentary procedure was also followed closely. The first representative legislature in America met at Jamestown, Va., in 1619. The first representatives were elected by voters having a property qualification. In 1776 Virginia substituted a senate for its upper council, and other States followed.
- Leib, R. J.**, consul at Tangier, disposition of presents given, by Emperor of Morocco discussed, III, 37.
- Leland, Edward A.**, act for relief of, vetoed, VII, 435.
- Lemhi Reservation, Idaho**, agreement with Indians for sale of lands on, VIII, 192.
- Lenox, David**, attacked while discharging duties of marshal, I, 159.
- Leopard, The**, attack of, on the *Chesapeake*. (See *Chesapeake*, The.)
- Letcher, John**, official acts of, in Virginia declared null and void, VI, 337.
- Letters Rogatory**, report regarding execution of, transmitted, IX, 135.
- Levees of Mississippi River**, preservation of, recommendations regarding, VI, 454; VIII, 95, 210.
- Lew Chew Islands:**
Compact with, for securing certain privileges to American vessels, V, 293.
Good offices of United States tendered China and Japan for settlement of controversy regarding, VII, 569.
- Lewis and Clark Expedition.**—A party of citizens and soldiers sent under command of Captains Meriwether Lewis and William Clark, by order of President Jefferson, to explore the country from the Missouri River to the Pacific Ocean. They ascended the Missouri River to its sources, crossed the Rocky Mountains, and, finding the source of the Columbia River, floated down that stream to its mouth. They explored nearly all of the territory lying south of the forty-ninth parallel. This expedition is important as forming the basis of our claim to Oregon.
- Lewis and Clark Expedition** discussed, I, 398, 408.
- Lewis and Clark Centennial Exposition** at Portland, Ore., X, 650.
- Lewis and Clark Forest Reserve**, proclaimed, X, 611.
- Lewiston, N. Y.**, proclamation granting privileges of other ports to, IV, 469.
- Lexington (Mass.), Battle of.**—On the night of Apr. 18, 1775, a detachment of 800 British soldiers under Col. Smith left Boston to capture or destroy some military stores which the Americans had collected and stored at Concord. Maj. Pitcairn, who led the advance, was opposed at daybreak at Lexington Green, 11 miles northwest of Boston, by about 50 minute-men under Capt. Parker, who had been summoned by Paul Revere in his midnight ride. Pitcairn's men opened fire and 7 Americans were killed and 9 wounded. This was the first blood shed in the Revolutionary War. The Americans returned the fire and retreated, but rallied and pursued the British toward Concord, capturing 7 prisoners, the first taken in the war. On their return from Concord the British were reinforced at Lexington by 1,200 men under Lord Percy. The Americans had also been reenforced, and kept up a guerrilla fire upon the British, who fled to Boston in disorder. The loss for the day was 93 Americans killed, wounded, and missing, and 273 British. (See also Concord (Mass.), Battle of.)
- Lexington (Mo.), Battle of.**—Sept. 1, 1861, Col. Mulligan, in command of the "Irish Brigade," stationed at Jefferson City, Mo.,

Lexington (Mo.), Battle of—Continued.

was ordered by Gen. Fremont, who had recently been appointed to the command of the Western Department, to proceed up the Missouri River to Lexington, Mo., 160 miles to the northwest, and reinforce the garrison there. Mulligan's brigade reached Lexington Sept. 9, swelling the force to 2,780 men. After the battle of Wilsons Creek (q. v.) the Confederate General Price marched toward the northern part of the State with a constantly increasing force. He arrived in the vicinity of Lexington Sept. 11 with 28,000 men and 13 pieces of artillery. Mulligan's force was well intrenched and was constantly expecting reinforcements from St. Louis. Several unsuccessful efforts were made to dislodge them. The garrison suffered terribly from thirst and many of the horses and cattle perished. On the 20th Price advanced his artillery behind the shelter of bales of hemp, which the men rolled slowly before them as they approached Mulligan's redoubt. When this hempen breastwork was within 50 yards of his lines, no reinforcements having arrived, Mulligan surrendered unconditionally after a loss of 39 killed and 120 wounded. Two thousand six hundred men, including 500 home guards, laid down their arms. The Confederates lost 1,400 in killed and wounded. Col. Mulligan was twice wounded.

Libby, E. W., appointment of, XI, 1128.

Libby Prison.—A famous Confederate military prison in Richmond, Va., during the War between the States. It was originally a tobacco warehouse and a ship chandlery and was named for its owner. It was taken down in 1888 and carried to Chicago and there set up as a war museum.

Libby Prison, rent for use of building known as, referred to, VI, 697.

Liberal Republican Party.—A defection from the regular Republican organization in 1870-1872. This party was opposed to the strict measures of coercion adopted by the Administration to maintain the newly granted rights of the freedmen, reconstruct the Southern States, and stamp out disorder in the South. Uniting with the Democrats in Missouri in 1870-71, it advocated universal suffrage, universal amnesty, a reform of the tariff, and a "cessation of unconstitutional laws to cure Ku-Klux disorders." At a national convention held in Cincinnati in May, 1872, the Liberal Republicans nominated Horace Greeley for President and B. Gratz Brown, of Missouri, for Vice-President. The ticket was defeated.

Liberia:

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French encroachments upon territory of, action of United States regarding, discussed, IX, 316, 438.

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Removal of negroes captured on coast of Cuba to, recommended, V, 527.

Treaty with, VI, 128, 145.

Vessel to, presentation of, recommended, VI, 244; VIII, 501.

Weakness of, discussed, VIII, 501.

Iberia.—A Republic on the west coast of Africa, extending from about 6° 40' west

about 500 miles along the coast to the northwest. The Republic was founded by the American Colonization Society in 1822 and had for its object the settling in Africa of freedmen and recaptured slaves. The society sent some 18,000 persons to this colony. Liberia remained under the rule of the directors of the society until 1847, when the Republic was established under a constitution similar to that of this country. Its area is estimated at 35,000 sq. miles. The total population in 1902 was 2,060,000, mostly natives.

Liberto, Salvatore, compensation to, X, 549.

Liberty Bell.—The bell on the Pennsylvania statehouse at Philadelphia, which, according to tradition, was rung on July 4, 1776, to announce the adoption of the Declaration of Independence. It was cast in London and sent to Philadelphia in 1752. The bell was broken up and recast in April, and again in June, of the following year. It was cracked July 8, 1835, while being tolled in memory of Chief Justice Marshall. The Liberty Bell was placed on exhibition at the Centennial at Philadelphia in 1876, and at the Columbian Exposition in Chicago in 1893. It bears the motto, "Proclaim liberty throughout the land unto all the inhabitants thereof." It is now in Independence Hall, Philadelphia.

Liberty Enlightening the World, statue of, erected in New York Harbor, by citizens of France, VII, 427; VIII, 237, 498.

Ceremonies of inauguration discussed and recommendations regarding, VIII, 397.

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Libraries. (See Interior Department; Library of Congress; State Department.)

Library, Latin-American, establishment of, at Washington recommended by International American Conference, IX, 71.

Library of Congress.—When the seat of Government was removed to Washington in 1800, the idea of a Congressional library was conceived. In December, 1801, John Randolph made a report which formed the basis of an act of Congress of 1802 organizing the library. Some 3,000 books of reference were accumulated, when, in August, 1814, the British army burned the Capitol and the Library was consumed. In 1815 Congress purchased the private library of Thomas Jefferson, consisting of 6,700 volumes, for \$23,950. An annual appropriation being made for the purchase of books, the Library continued to grow until in 1851 it numbered 55,000 volumes. Dec. 24 of that year a second conflagration destroyed 35,000 of these volumes. An appropriation of \$72,000 was made for repairs, and the Library grew apace. In 1866, 40,000 volumes were transferred from the Smithsonian Institution. The following year Congress purchased for \$100,000 the historical collection of Peter Force, very rich in Americana. This library contained nearly 60,000 books, pamphlets and manuscripts. In 1864 President Lincoln appointed Ainsworth R. Spofford to be Librarian, and he was succeeded in 1897 by John Russell Young, who died in 1899, and Herbert Putnam was appointed his successor. The Library now contains 1,344,618 printed books; about 100,000 MSS.; 410,352 pieces of music; 183,724

Library of Congress—Continued.

prints and engravings besides a large number of maps, charts, pamphlets, etc. The building containing the Library is an enormous structure in the Italian Renaissance structure, most impressive in its lines and beautiful in its detail. It is in the form of a quadrangle enclosing a central rotunda surmounted by a flat gilded dome. The building was begun in 1886 and completed in 1897, at the cost of \$6,180,000, it is probably the most ornate and beautiful library building in the world. The public reading room occupies the rotunda. It consists of an octagonal hall 100 feet in diameter, sumptuously built of soft-tinted Numidian, Sienna, and Tennessee marble in variegated hues. The reading desks are arranged in concentric circles about the Librarian's desk in the center, from which easy communication is had to all parts of the fireproof iron book stacks. The Library of Congress has been since 1870 the only office of record for copyrights, and its accessions from that source are very large.

Library of Congress:

Arundel manuscripts, copy of, to be placed in, III, 226.

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Licenses for Vessels, prohibitory laws in regard to, I, 495, 519, 523.

Lieutenant-General.—In the United States Army, the rank next below that of general and next above that of major-general. It was first authorized by Congress in 1798 and bestowed upon George Washington. It was abolished in 1799 and was not revived until 1855, when Winfield Scott was brevetted lieutenant-general. At his death it again lapsed. In 1864 it was revived by special act of Congress and conferred upon Ulysses S. Grant, on whose promotion to the grade of general, July 25, 1866, created in his behalf, William T. Sherman became lieutenant-general; and on his succession to the rank of general, March 4, 1869, Philip H. Sheridan was promoted to be lieutenant-general. On the retirement of Sherman, in 1884, the grade of lieutenant-general was discontinued and merged with that of general. By an act of February 5, 1895, it was revived and John M. Schofield appointed, who held it until his retirement, September 29, of that year. On June 6, 1900, Congress provided that the senior major-general commanding the army should have the rank and pay of lieutenant-general, the act affecting Major-General Nelson A. Miles, who retired August 8, 1903. On that date Samuel B. M. Young received the commission of lieutenant-general, and on January 9, 1904, it was given to Adna R. Chaffee.

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Lincoln, Levi, commissioner to settle boundary question with Georgia, I, 341.

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Local Government.—Sometimes written local self-government. The regulation and administration of the local affairs of a city or district by the people of it, as distinguished from such regulation and administration by authority of the State or nation at large. The State was an institution of the Roman Empire, but the Teutonic tribes or nations developed a local government of their own, and gave the name "town" to language and the idea of "township" to constitutional law. As to whether the first English colonists in America derived the subdivision of the county known in England as town or township from the mother country there was no question until recently, when respectable authority was adduced for the statement that the Plymouth and Massachusetts Bay colonists, especially the former, who came directly from Holland, borrowed their local government system and several other institutions of high value from the Dutch Republic. Cer-

tain it is, nevertheless, that when the first settlements were made in this country England had well-developed forms of local government which served as a pattern, beyond doubt, for the Jamestown Colony, Va., and for some other colonies as well. The colony was subdivided into counties, the counties in some cases into hundreds, and the hundreds into parishes or townships. At the time of the colonization the parish in England had generally superseded the township. In the Southern Colonies, where the plantation system prevailed and the people were scattered over a large area, the colonists, on their separation from England, retained the county system as being best suited to their population. In the New England Colonies, where population was more compact, the township government was retained. Thus two distinct types of local government prevailed in the United States—the township system in New England and the county system in the South. In the middle Colonies a system of local government was instituted which combined the county and township system. This is now generally in use in the Western States.

Local Option.—A principle of law established in some of the United States by which the determination as to whether or not any licenses to sell intoxicating liquors shall be granted is submitted to a vote of the people of a town or other minor political community. If the people of any locality decide upon prohibition, it becomes a part of the State law for that community. Local option by States was suggested as a solution of the slavery question, and the Kansas-Nebraska law contained a provision to this effect.

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Loco-Focos.—The radical faction of the Democratic party in New York in 1835-1837. The Equal Rights faction was opposed to the granting of bank charters and special privileges to favorites of the Government, and the Tammany men supported the Administration. At a meeting held in Tammany Hall, New York, Oct. 29, 1835, the regular Tammany Democrats tried to gain control, but finding themselves outnumbered they turned out the lights and left the hall. The Equal Rights men produced candles and lighted them by the aid of "loco-foco" matches and continued the meeting. The word, at first used in derision of this faction, was later adopted by the Democratic party as an emblem of promptitude in an emergency, and it was also applied to the party sometimes in derision by their opponents.

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International Inventions Exhibition to be held in, VIII, 240.

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Smoke Abatement Exhibition at, VIII, 108.

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Long, John D.:

Report of, on number of lives lost by sinking of the *Maine*, X, 71.

Thanks of President tendered Commodore Dewey by, X, 343.

Lookout Mountain (Tenn.), Battle of.—The arrival of the two corps under Hooker and the army of Sherman at Chattanooga increased the strength of Grant's command to 80,000 men. At this critical time Longstreet, with 16,000 men, was detached from the Confederate army and sent to besiege Burnside at Knoxville, leaving Bragg with only about 50,000 men to hold the position. Nov. 24, 1863, to cover Sherman's crossing the Tennessee River and securing a position, Hooker, with 10,000 men, made an attack on the western slope of Lookout Mountain. During a heavy mist he pressed up the mountain side and attacked the position in front and rear, capturing about 1,000 prisoners. The Confederates retired from the mountain to Missionary Ridge.

Loomis, Aretus F., act granting pension to, vetoed, VIII, 458.

Loomis, F. B., reports of, during Panama revolution, X, 565-573.

Lopez, Segundo N., killing of, in Cuba referred to, IX, 750.

Lopez Expedition, pardon and release of members of, by Spain, V, 142.

Lord Nelson, The, claim of James Crooks against United States for seizure of, VIII, 390, IX, 227.

Lotteries, use of mails by, discussed and recommendations regarding, IX, 44, 80.

Passage of act regarding, discussed, IX, 116.

Lottery.—The Continental Congress tried to raise money by lottery in 1777. As early as 1612 the Virginia Company was authorized by its charter to hold lotteries for the benefit of its colonization schemes. In the eighteenth century lotteries were extremely popular in America. Legislatures authorized them for building churches, schools, and all sorts of public improvements. Faneuil Hall, in Boston, having been destroyed by fire in 1761, was rebuilt by lottery. The Louisiana State Lottery was the last authorized institution of the kind in the United States. Popular opinion has undergone a change regarding lotteries. They were forbidden in 1890 by act of Congress to use the mails. This act resulted in closing the Louisiana Lottery.

Loughery, Ardavan S., treaty with Indians concluded by, V, 66.

Louisa, The, proceedings of court regarding, II, 329.

Louisiana.—One of the United States; nickname, "The Pelican State;" motto, "Union, Justice, and Confidence." It extends from the Gulf of Mexico northward to the thirty-third parallel of north latitude and from the eighty-ninth to the ninety-fourth meridian west longitude. It is bounded on the north by Arkansas and Mississippi, on the east by Mississippi (separated by the Mississippi

River) and the Gulf of Mexico, on the south by the Gulf of Mexico, and on the west by Texas (separated in part by the Sabine River). Louisiana is the leading sugar State of the Union, besides which are exported cotton, rice, and corn. It was explored by De Soto in 1541, by Marquette in 1673, and by La Salle in 1682. It was settled by the French under Iberville and Bienville about 1700, was ceded by France to Spain in 1763, retroceded to France in 1800, was purchased by the United States in 1803, and was made the Territory of New Orleans in 1804. The portion east of the Mississippi River was annexed in 1810. The State was admitted to the Union in 1812. Jan. 26, 1861, it seceded and joined the Southern Confederacy. It was readmitted by act of Congress June 25, 1868 (VI, 658). Louisiana contains an area of 48,720 sq. miles and a population (in 1900) of 1,381,625; (1905), 1,550,000, estimated. (See also Louisiana Purchase.)

Louisiana (see also Confederate States; New Orleans):

Accession of, to United States discussed and referred to, I, 358, 360, 362; II, 100, 284, and X, 121; II, 363; VI, 54. (See also II, 391.)

Effect of, discussed, V, 345.

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Authority to grant or dispose of lands of Spain in, referred to, II, 82.

Boundaries of, I, 384, 389; II, 394.

Branch mint in, referred to, III, 164, 276.

Cession of, to France referred to, I, 343, 350.

Colonel-commandant of, commissioned, I, 376.

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Constitution of, referred to, VI, 633.

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Treaty regarding security of titles to, discussed, II, 363.

Laws of, referred to, I, 364, 365, 418.

Lead mines in, I, 371.

Memorial from purchasers of land in, II, 466.

Mint at New Orleans seized by authorities of, referred to, V, 668.

Possession of, commissioners appointed to receive, I, 367.

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Private land claims in, recommendations regarding, VIII, 104.

Proclamations against unlawful combinations in, VII, 207, 212, 223, 276, 296, 305.

Provisional court established in, order regarding, VI, 122.

Restoration of, into Union discussed, VI, 222, 251.

Spain transfer of, to the United States disagreeable to, I, 388.

Support of, referred to, I, 394.

Title to, objections to validity of, withdrawn, I, 370.

Transfer of, to United States disagreeable to Spain, I, 388.

Unlawful combinations in, discussed and proclamations against, VII, 207, 212, 223, 276, 296, 305.

Louisiana, District of.—That part of the Louisiana Purchase which is not included in the present State of Louisiana. It was erected into a district and the capital was established at St. Louis in 1804. In 1805 it was given a separate government as the Territory of Louisiana. In 1812 the name of the Territory was changed to Missouri.

Louisiana Lottery Co. discussed, IX, 80.

Louisiana, Province of. (See Louisiana.)

Louisiana Purchase.—A name applied to the territory west of the Mississippi River purchased from France in 1803. It was the most important sale of territory ever executed in favor of the United States. President Jefferson desired the acquisition of New Orleans in order to obtain control of the mouth of the Mississippi and offered to guarantee to Napoleon the territory to the west of the river in exchange. Napoleon, being at that time at war with Great Britain and greatly in need of funds, and being desirous moreover to foil England's aspirations for more territory in the United States, consented to the transfer of the so-called province of Louisiana to the United States for the sum of \$15,000,000. The territory thus acquired embraced all of the present State of Louisiana lying west of the Mississippi River, together with New Orleans and the adjacent district east, comprising Mississippi and Alabama below the thirty-first parallel; Arkansas, Missouri, Iowa, a portion of Idaho and Minnesota, all of the Dakotas, most of Kansas, all of Nebraska and Indian Territory, part of Colorado, most of Wyoming, and the whole of Montana. It is claimed by some that Oregon and Washington were included. In 1904, the Louisiana Purchase Exposition (q. v.) was held at St. Louis, Missouri, to commemorate the acquisition of this important territory.

Louisiana Purchase:

Discussed and referred to, I, 358, 360, 362;

II, 100, 284, 363; VI, 54. (See also II, 391.)

Effect of, discussed, V, 345.

Louisiana Purchase Exposition, was held at St. Louis, Mo., between April 30 and December 1, 1904, to celebrate the centennial of the Louisiana Purchase. It was the largest World's Fair ever held, and the third of its kind in America; its grounds covered 1,240 acres, of which 250 acres were roofed over. The total amount expended upon the Exposition, by the Exposition Company, the various States, foreign governments, and the concessionaires, amounted to about \$44,500,000;

while the total receipts came to about \$25,000,000; while the Exposition closed free from debt. In point of attendance it fell below the Paris Exposition of 1900 with its 50,000,000 entrances and the World's Fair at Chicago with 27,500,000 entrances, as its attendance only totalled 18,700,000.

Louisiana Purchase Exposition:

Opened by Proclamation of President Roosevelt, X, 493.

Relations of United States Government to, X, 451, 460, 547, 550, 554, 558, 589, 650, 677, 709, 714, 717, 718, 840.

Louisiana vs. Jumel.—An important Supreme Court case defining the liability of State officers. Jumel held bonds issued under an act of the Louisiana legislature of 1874 and the constitutional amendment adopted in that year. He demanded payment of these bonds in 1880. Payment was refused solely on the ground of obedience to the Louisiana State debt ordinance of the new constitution adopted July 23, 1879, and the law of 1880, carrying out provisions contained in this new constitution. This act, in the language and spirit of the ordinance, recited that coupons of consolidated bonds falling due in January, 1880, were remitted. Suit was brought against officers of the State. The circuit court of the State decided for the defendant, and its decision was affirmed by the United States Supreme Court on the ground that relief could not be awarded against officers obeying the supreme power of the State; that the money is the State's property, not held in trust by the officers except in the capacity of her servants. "The political power of the State," said Chief Justice Waite in the opinion of the court, "can not be ousted of its jurisdiction and the judiciary set in its place." Dissenting opinions were rendered by Justices Field and Harlan.

Louisville and Portland Canal Co., act for subscription of stock in, reasons for applying pocket veto to, II, 508.

Louisville, Ky., Southern Exposition at, discussed, VIII, 186.

Board on behalf of Executive Departments designated, VIII, 232.

Instructions to, VIII, 233.

Lounsberry, Clement A., act for relief of, vetoed, VIII, 715.

Lower Brulé Indians, selling and trading of annuity goods by, VIII, 84.

Loyalists.—Those of the American colonists who opposed the Revolutionary War and in some instances took up arms against their countrymen in the struggle for independence. They were also called Tories. As early as 1688 parties favorable to the Crown were exerting an influence in all the Colonies. As the revolutionary movement grew their opposition to it increased. In no Colony was there an overwhelming desire for independence, and in some the advocates of revolution were in the minority. Many of the most respected and eminent men of the middle Colonies were loyal to the Crown. During the progress of the war they were treated with great harshness. Their property was confiscated or destroyed; they suffered social ostracism, and some were tarred and feathered. Legislative assemblies banished them from some of the Colonies. When the British troops withdrew at the close of the war the Tories found life in the States un-

Loyalists—Continued.

endurable and thousands retired to Canada, Nova Scotia, New Brunswick, the Bahamas and other West Indies. In the treaty of peace in 1783 the British asked to have provision made for recompensing the dispossessed Loyalists, but all they received was a promise to submit the matter to the States, and they refused relief.

Lubeck:

Minister of, received by United States, II, 383. Treaty with, II, 422, 425; V, 150; X, 69.

Vessels of, discriminating duties on, suspended by proclamation, II, 73.

Luce, Elizabeth, act granting pension to, vetoed, VIII, 433.

Luce, J. H. D., Wharfage concession to, X, 551.

Luckett and Tyler (assignees of William T. Cheatham), act for relief of, vetoed and reasons assigned, VII, 380.

Lundys Lane (Canada), **Battle of**.—After his defeat at Chippewa in 1814 Gen. Riall retired by way of Queenston toward the head of Lake Ontario. He was soon reinforced, and returned to attack the Americans under Brown, who had pursued him as far as Queenston. Hearing of the British reinforcements, Brown retreated to the Chippewa River, and on July 24, 1814, encamped on the south bank, where he had defeated Riall on the 5th. On the 25th Gen. Scott, with about 1,200 men, went forward to reconnoiter and came upon the British army, 4,500 strong, near Niagara Falls, on Lundys Lane, a road leading from the Falls to the end of Lake Ontario. Soon the entire American force was engaged, the battle lasting from sunset till midnight. The American forces numbered about 2,500 men. During the engagement Gen. Scott and Lieut. Col. Miller distinguished themselves for daring and efficiency. The British were finally driven back and forced to abandon their artillery, ammunition, and baggage. Both armies claimed the victory, though both left the field. The American loss was 171 killed, 571 wounded, and 110 missing—a total of 852 out of an army of 2,500. The British lost 84 killed, 559 wounded, 193 missing, and 42 prisoners—a total of 878 out of an army of 4,500. Generals Brown and Scott were among the wounded.

Lüneburg, convention with, for acquiring and inheriting property, V, 293.

Luquillo Forest Reserve, proclaimed, X, 597.

Lusk, Albert M. D. C., trial of, by military commission referred to, VI, 594.

Luther vs. Borden.—In 1841 a portion of the people of Rhode Island framed a new government and elected Thomas W. Dorr governor in opposition to the charter government. (See Dorr's Rebellion.) Governor King declared the State under martial law and Luther's house was searched, he being implicated in the armed conspiracy against the established government. Luther pleaded the constitutionality of the new government. The circuit court gave judgment against him, and the Supreme Court of the United States affirmed this decision in 1842. It was decided that under martial law suspected persons might legally be subjected to search and arrest by State authority, and that the question of the constitutionality of a State government was one with which Congress rather than the courts should deal.

Lutman, David H., act granting pension to, vetoed, VIII, 712.

Luxemburg, fugitive criminals, convention with, for surrender of, VIII, 195.

Lynch, Robert B., arrest and trial of, by Great Britain, VI, 629.

Lynch, William, act granting pension to, vetoed, VIII, 543.

Lynch Law.—The practice of punishing alleged offenders, generally without trial, by unauthorized persons and without due process of law. Lynch law, it is said, took its name from Charles Lynch, a Virginia planter and Quaker, and his associates, who during Revolutionary days seized British sympathizers and hanged them by the thumbs till they shouted "Liberty forever."

Lynchings discussed and indemnities voluntarily provided, recommended, IX, 332; X, 23, 52, 146, 205, 234, 236.

Lynn, Mass., act for erection of post-office building at, vetoed, VIII, 565.

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McArthur, Duncan, treaty with Indians concluded by, II, 21.

McBlair, John H., act for relief of, vetoed, VIII, 409.

McCaleb, Sarah E., act for relief of, vetoed, VIII, 668.

McCall E., & Co., agents to receive installments from Peru, V, 49.

McCalla, Bowman H., member of board to consider expedition to be sent for relief of Lady Franklin Bay Expedition, VIII, 226.

McCallum, D. C., military director and superintendent of railroads, appointed, VI, 101.

McCarty, Catherine, act granting pension to, vetoed, VIII, 470.

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- McCool, John**, act granting pension to, vetoed, VIII, 832.
- McCord, Victor H.**, claim of, against Peru, IX, 556, 660; X, 110.
- McCrea, Lieut.**, interpreter at trial and investigation into the Chilean outrage upon the sailors of the *Baltimore*, IX, 185, 215, 227, 312, 315.
- McCullah, James A.**, act for relief of, vetoed, VII, 216.
- McCulloch, Ben.**, sent to Utah during troubles with Mormons, V, 505.
- McCulloch, Hugh**, correspondence of, transmitted, VI, 606.
- McCulloch vs. Maryland.**—A case brought before the Supreme Court of the United States in 1819, in which the right of a State to interfere with the execution of Federal laws was denied. McCulloch was cashier of the Baltimore branch of the Bank of the United States, which had been incorporated by an act of Congress in 1816 and had headquarters in Philadelphia. The action brought by the State of Maryland against McCulloch was one of debt, he, it was averred, having refused to comply with an act of the Maryland general assembly of 1818 which imposed a tax upon all banks or branches of banks doing business in Maryland and not chartered by the State legislature. The court of appeals of Maryland decided against the plaintiff. The Supreme Court reversed this decision, declaring that the act under which the bank was chartered was constitutional, and that therefore the act of the Maryland legislature of 1818 was contrary to the Constitution of the United States, and therefore void, because States have no power, by taxation or otherwise, to impede or control the operations of constitutional laws enacted by Congress to carry into execution any of the powers of the Federal Government.
- McDaniel, James**, treaty with Indians concluded by, VI, 394.
- Macdonald, Allan**, abduction of, from Canada referred to, VI, 628.
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- McDuffie, George**, referred to, III, 14.
- McEldery, Hugh**, director of Bank of United States, nomination of, and reasons therefor, III, 41.
- McElvain, John**, treaty with Indians concluded by, II, 466.
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- McGarrahan, William**, act to submit title of, to lands to Court of Private Land Claims vetoed, IX, 245.
- McGregor, Gen.**, commission to, discussed, II, 32.
- McGrew, John F.**, member of legislative council for Mississippi Territory, nomination of, I, 457.
- McIlwain, Martha**, act granting pension to, vetoed, VIII, 451.
- McIntosh, Lachlan**, naval officer at Savannah, Ga., nomination of, and reasons therefor, I, 58.
- McKay, Donald**, act for relief of Nathaniel McKay and executors of, vetoed, VIII, 635.
- McKay, Elizabeth**, act granting pension to, vetoed, VIII, 462.
- McKay, Nathaniel**, act for relief of, and executors of Donald McKay, vetoed, VIII, 635.
- McKee, John:**
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- McKeever, Isaac**, captain in navy, nomination of, and reasons therefor, III, 528.
- McKenney, Thomas L.**, treaty with Indians concluded by, II, 365, 394, 395, 430.
- Mackenzie, Ranald S.**, directed to assume command of Department of Texas, VIII, 167.
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McLeod Case.—In 1840 Alexander McLeod, a Canadian sojourning in New York, boasted of having taken part in the seizure of the steamer *Caroline* during a rebellion in Can-

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ada a few years previously. He was arrested and indicted for murder in Lockport, N. Y. The British minister demanded his release on the ground that McLeod had acted under orders and that the New York State courts had no jurisdiction in a case that lay only between the two Governments of Great Britain and the United States. The Federal Government admitted the justice of the British contention, but held that McLeod could only be released by operation of the law. The Attorney-General instituted *habeas corpus* proceedings, but the court held that there was no ground for releasing him. McLeod finally proved an alibi in October, 1841, and was acquitted.

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Macon Bill No. 2.—A bill introduced in Congress by Nathaniel Macon and passed in May, 1810, to relieve American commerce from the depredations of English and French cruisers and privateers. It provided that commerce should be free and carried on under sanction of the Berlin and Milan decrees of France and the orders in council of England, but that if either of these nations should withdraw from these conventions commerce should be prohibited with the nation which retained them.

Madagascar:

Affairs of, report on, referred to, VIII, 814, 815.

Imprisonment of American citizen in, by French authorities, IX, 628, 666.

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Maddox, Laura E., act for relief of Robert Morrison and, vetoed, VIII, 724.

Madeira River, exploration of, referred to, VII, 497.

Madison, Dolly P.:

Correspondence with President Jackson on death of her husband, III, 260.

Writings of her husband on Constitutional Convention referred to, III, 260.

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Madison Forest Reserve, proclaimed, X, 512, 871; XI, 1112.

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Annual messages of, I, 473, 482, 491, 514, 534, 547, 562, 573.

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Powers of Federal and State Governments discussed by, I, 489, 490, 555, 584.

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- Incorporating church in Alexandria, Va., I, 489.
- Internal improvements, I, 584.
- Naturalization, I, 523.
- Trials in district courts, I, 511.
- War with—
 - Algiers should be declared by Congress, I, 554.
 - Great Britain discussed. (See War of 1812.)
 - Writings of, on Constitutional Convention referred to, III, 260.
 - Correspondence regarding publication of, III, 262.
- Madison Papers**, reasons for applying pocket veto to resolution to distribute, III, 528.
- Madrazo, Don Juan**, claims of, against United States, III, 49.
 - Attorney-General declines to give opinion on, III, 231.
- Madrid, Spain**, exposition at, to celebrate four hundredth anniversary of discovery of America, IX, 187.
 - Report of United States commissioners to transmitted, IX, 556.
- Mafia**.—A Sicilian secret order which aims to substitute its own authority for that legally constituted by the State. It first became prominent in 1860. It depends upon community of sentiment rather than thorough organization for its strength, and its members are bound neither to seek redress at law nor give evidence in court. The boycott and blackmail are the usual means of offense, but violence is often resorted to. Members of the society emigrating to the United States have established branches in New York, New Orleans, and elsewhere. On the night of Oct. 15, 1890, David C. Hennessy, chief of police of New Orleans, was assassinated before his own house by members of the Mafia, to whose band he had traced a number of crimes. The officer received 6 wounds. Eleven Italians were arrested charged with the murder. By the 15th of the following March several of the prisoners had been acquitted, and, despairing of convicting any of them, on account of their disregard of oaths, a mob of enraged citizens, headed by a lawyer named Parkerson, broke into the jail and put to death the 11 prisoners, including those who had been acquitted. In consequence of the delay in bringing to justice the perpetrators of this deed the Italian Government made a protest against this violation of the rights of Italian citizens, and the United States arranged the matter amicably by paying an indemnity to the families of the murdered Italians.
- Maffit, John N.**, mentioned, V, 527.
- Magazines**. (See **Arsenals and Magazines**.)
- Magicienne, The**, appropriation to pay claims of owners of, recommended, VI, 382.
- Magoon, Charles E.**, appointed Canal Commissioner, XI, 1178.
- Maguire, Edward**, mentioned, VIII, 199.
- Maha Indians**, treaty with, II, 81, 322, 347.
- Mahoney, William H.**, act to provide for payment of claim of, vetoed, IX, 680.
- Mail Matter**. (See **Postal Service**.)
- Mail Routes** (see also **Cumberland Road**):
 - Appropriation for, II, 360.
 - Discussed by President—
 - Adams, J. Q., II, 307, 311, 419.
 - Arthur, VIII, 52.
 - Buchanan, V, 461.
 - Fillmore, V, 89, 134.

- Harrison, Benj., IX, 198, 321.
- Hayes, VII, 622.
- Madison, I, 567.
- Monroe, II, 18, 215, 256.
- Polk, IV, 505, 653.
- Van Buren, III, 393, 502, 538.
- Washington, I, 66, 83, 107.
- Little Rock to Cantonment Gibson, Ark., I, 366.
 - Referred to, I, 68; II, 2, 5.
- Washington, D. C., to New Orleans, La., surveyed by Isaac Briggs, I, 376.
- Wheeling, W. Va., to point on Mississippi River, II, 83, 114.
- Zanesville, Ohio, to seat of government of Missouri, II, 427.
- Mail Service**. (See **Postal Service**; **Railway—Mail Service**.)
- Mail Steamers**. (See **Postal Service**.)
- Mails, Foreign**, transmission of, through United States referred to, IV, 322. (See also **Postal Service**.)
- Maine**.—One of the United States; nickname "The Pine Tree State;" motto, "Dirigo" ("I direct"). The most northeasterly State of the Union. It extends from lat. 43° 4' to 47° 28' north and from long. 66° 57' to 71° 7' west. It is bounded on the north by the Province of Quebec, on the east by New Brunswick, on the southeast and south by the Atlantic, and on the west by New Hampshire and Quebec. The chief industry of the State is the manufacture of cotton goods, next in importance are the lumbering, woolen goods, wood-pulp and paper mill industries. Fisheries and quarrying are in a prosperous and progressive condition. Settlements were made by the French under Du Monts in 1604 and by the English in 1607. The first permanent settlement dates from 1623. Maine was a part of the province of Massachusetts Bay in 1691 and became a separate State in 1820. The Webster-Ashburton treaty of 1842 settled the long-standing dispute regarding its north-eastern boundary. The area of the State is 33,040 sq. miles and the population in 1905 was 736,133.
- Maine**:
 - Claims of, presented, III, 277, 470.
 - Controversy with New Brunswick referred to, III, 588.
 - Depredations in, committed by lawless men from British provinces, III, 516.
 - Correspondence regarding, III, 521, 567, 568, 574.
 - Northeastern boundary correspondence regarding. (See **Northeastern Boundary**.)
 - Unsurpuration of jurisdiction within, by New Brunswick, II, 424.
- Maine, The**.—One of the second-class battle-ships of the United States Navy. This vessel was sent to Havana, Cuba, in January, 1898, on a peaceful mission. She was received by the Spanish forts and naval vessels in the harbor with the courtesies usually extended to visiting war ships of a friendly power. Her anchorage was selected by the Spanish authorities. On the night of Feb. 15, 1898, the *Maine* was destroyed by a submarine mine (X, 52). It was believed that the Spaniards, who at the time were very much incensed at the interest Americans were taking in the Cuban insurrection, had maliciously destroyed the vessel and crew. Two officers and 258 sailors and marines lost their lives by the explosion (X, 71). An investiga-

Maine, The—Continued.

tion failed to place the responsibility for the catastrophe, and Spain hastened to send a message of regret at what she called an "incident." The blowing up of the *Maine* was among the causes of the war with Spain, begun soon afterwards.

Maine, The, destruction of, in Havana Harbor, Cuba, X, 52, 65, 83.

Findings of court of inquiry discussed, X, 52, 65.

Number of lives lost in, report on, X, 71.

Proposition of Spain to investigate causes of, referred to, X, 65.

Maine, U. S. S., at Panama, X, 585.**Maison Rouge, Marquis de, validity of grant to, by Baron de Carondelet to be tested, IV, 160.****Makah Indians, treaty with, V, 380.**

Malay Archipelago.—The largest and most important island group or congeries of groups in the world, stretching from lat. 25° north to 12° south and from long. 93° to 105° east. It is bounded on the north by the China Sea, on the east by the Pacific Ocean, and on the south and west by Australia and the Indian Ocean. The principal groups are the Sunda Islands, including Sumatra, Java, Bali, Sumbawa, Flores, Sandalwood, Timor, and several smaller ones; the Philippines, in the north; Celebes and the Salayer Islands, north of Flores; the Moluccas and others east of Celebes. The chief islands for trade are Java, Sumatra, Borneo, and the Moluccas. The Dutch division of Papua is considered a part of the Malay Archipelago. The Philippines were taken by the United States from Spain in 1898. Great Britain is in possession of Singapore, Penang, Malacca, and Labuan. Native rajahs rule most of the islands. The Dutch East Indies including Sumatra, Borneo, Java, and the Celebes, comprise the greater and richer portion of the archipelago, having rights of suzerainty over the native princes.

Malheur Reservation, Oreg., referred to, VIII, 82.**Malletoa, King of Samoan Islands, IX, 110, 439, 531.**

Death of, X, 111.

Mallory, Stephen R., imprisonment of, report of Attorney-General regarding, transmitted VI, 378.**Malmros, Oscar, reports of, during Panama Revolution, X, 570-573.**

Malvern Hill (Va.), Battle of.—The last of the Seven Days' Battles before Richmond. On the morning of July 1, 1862, the Second, Third, and Sixth corps of McClellan's army, under command of Keyes, Franklin, Sumner, Heintzelman, and Porter, were united on Malvern Hill, a plateau near the James River. The approaches to the position were commanded by about 70 guns, several of them heavy siege cannon. The Confederate attack, under D. H. Hill and Magruder, was made about 3 p. m. and it continued until 9 p. m. The assailants were repulsed. During the night McClellan continued his retreat to Harrison's Landing.

Manassas, Va.:

Army manœuvres at, X, 835.

Encampment at, X, 592.

Manassas (Va.), Battle of. (See Bull Run (Va.), Battle of.)**Manassas (Va.), or Bull Run, Second Battle of.**

—On the morning of Aug. 30, 1862, the day after the battle of Groveton, the conflict between the forces under Pope and those under Jackson was renewed. The latter, having been reinforced, massed his forces on the left of the Federal army with the intention of turning Pope's flank and securing a position on the road to Centerville, in Pope's rear. The fiercest fighting of the day took place about 5 o'clock in the afternoon on the ground where the battle of Bull Run had been fought July 21, 1861. By night the left wing of the Union army had been driven back about half a mile, the right not so far. Pope, being defeated, retreated to Centerville. Federal loss, about 15,000; Confederate, 8,400. (See also Groveton (Va.), Battle of.)

Mandan Indians.—A tribe of the Siouan family of Indians. They were almost exterminated by smallpox in 1837. The survivors consolidated, and now occupy villages in common with the Hidatsa and Arikara, on the Fort Berthold Reservation, in North Dakota. These Indians are of a light complexion. They now number about 250.

Mandan Indians:

Allotment of lands in severalty to, referred to, VIII, 196.

Treaty with, II, 322, 347.

Manila Harbor (Philippine Islands), Battle of.—Prior to the beginning of the war with Spain the Asiatic Squadron of the United States had been lying for several weeks at Hongkong, under the command of Commodore (now Admiral) George Dewey. Upon the issuance of the colonial proclamation of neutrality, the usual 24 hours' notice having been given, Dewey repaired to Mirs Bay, near Hongkong. From there he proceeded, under telegraphic orders, to capture or destroy the Spanish fleet then assembled at Manila, capital of the Philippine Islands, a Spanish possession off the southeast coast of Asia. At daybreak May 1, 1898, the American fleet entered Manila Bay and before noon effected the total destruction of the Spanish fleet, consisting of 10 warships and a transport, besides capturing the naval station and forts at Cavite. Thus at one blow, in a few hours, was annihilated Spain's naval power in the Pacific. Nor was this all. The victory secured to the American commander complete control of the bay of Manila, with the ability to take the city at will. Not a life was lost on the American ships. The wounded numbered only 7. The Spanish loss was 412 officers and men killed and wounded. Aug. 15, after a brief assault upon the works of Manila by the land forces under Gen. Merritt, in which the squadron assisted, the last scene of the war was enacted at its starting place, resulting in the unconditional surrender of the city.

Manila, Philippine Islands (see also Philippine Islands):

Cable communication with, recommended, X, 123, 148, 224.

Expeditions to, under command of Gen. Merritt, X, 90.

Gen. Otis directed to avoid conflict with insurgents, X, 359.

Victory of—

American squadron over Spanish fleet in bay of, discussed, X, 72, 90.

Manila, Philippine Islands—Continued.

- Commander of American squadron—
- Appointed acting rear-admiral, X, 72, 343.
- Sword to be presented to, and medals to men under, X, 77.
- Thanks of Congress to, and men under, X, 73.
- Recommended, X, 72.
- Reply of, X, 77.
- Thanks of President tendered, X, 343.
- Referred to, X, 72.
- Commander of the *Hugh McCulloch* in, recognition of services of, recommended, X, 80.
- American squadron and land forces at, discussed, X, 94.
- Thanks of President tendered commanders and men, X, 354.

Mann, A. Dudley:

- Special agent to Hungary, correspondence of, referred to, V, 41.
- Treaty with Swiss Confederation concluded by, V, 98.

Mannsfeld, Betsey, act granting pension to, vetoed, VIII, 639.

Manor.—In English law a freehold estate held by the lord of the manor, who is entitled to maintain a tenure between himself and the copyhold tenants, whereby a sort of feudal relation is kept up between them. Manors closely resemble the feudal estates held in Scotland by all proprietors of land. Manors of the English type were granted in the United States in several of the Colonies on such terms that property right carried right of jurisdiction. In 1636 the proprietor of Maryland ordered that every grant of 2,000 acres should be made a manor.

Mansfield, Joseph K. F., major-general of volunteers, nomination of, and reasons therefor, VI, 162.**Mansfield, Samuel M., commissioner in marking boundary between Texas and Mexico, VIII, 319.****Manti Forest Reserve, proclaimed, X, 610.****Mantor, Morris T., act granting pension to, vetoed, VIII, 646.****Manufactory Bank. (See Bank, Manufactory.)****Manufactures:**

- Capital—
- Invested in, discussed, IX, 306.
- Should be applied to internal, I, 455.
- Depression in, mentioned, I, 574.
- Encouragement of, recommended, I, 66, 68, 201, 205, 330, 469, 484, 495, 553; II, 61, 413.
- Increase of, II, 107, 191, 413, 545; VII, 37.
- Prosperous condition of, IV, 554.
- Referred to, I, 103, 183, 373, 471; II, 98, 413.
- Statistics of, referred to, V, 535, 536.

Manypenny, George W., treaty with Indians concluded by, V, 240, 242, 301, 306, 351.**Maphet, C. T., act granting pension to, vetoed, VIII, 710.****Maps of United States, joint resolution providing for printing of, vetoed, VIII, 707.****Marblehead, The, mentioned, X, 92, 584, 586, 587.**

Marbury vs. Madison.—The first important case wherein the Supreme Court set aside an act of Congress because of conflict with the Constitution. William Marbury and others had been appointed justices of the peace in the District of Columbia by President John Adams, with the consent of the Senate. Be-

fore their commissions were issued Adams was succeeded by Thomas Jefferson and James Madison was appointed Secretary of State. Failing to receive his commission, Marbury moved the Supreme Court to issue a mandamus to Madison commanding him to issue it. The court decided that Marbury was legally entitled to his commission, but that the court had no constitutional authority to issue a mandamus in such a case, thus declaring unconstitutional a portion of the judiciary act of 1789, which purported to grant such authority.

Marchand, Margaret D., act granting pension to:

- Reasons for applying pocket veto to, VIII, 487.
- Vetoed, VIII, 429.

Marcy, Randolph B., report of, on exploration of Big Witchitaw and Brazos rivers transmitted, V, 364.**Marcy, William L.:**

- Correspondence regarding outrages committed by Canadians on American frontier, III, 401.

Order signed by, suppressing an unlawful expedition fitted out in California for the invasion of Mexico, V, 272.

Secretary of State, V, 272.

Maria Teresa, The, mentioned, X, 92.**Marietta, The, voyage and arrival of, from San Francisco discussed, X, 91.****Marine Conference, International, at Washington discussed and recommendations regarding, VIII, 595, 785; IX, 33, 58, 63, 108.**

Marine Corps.—By an act of the Continental Congress of Nov. 10, 1775, the Marine Corps was established and the first and second battalions of marines were authorized. An act of Congress of July 11, 1798, reestablished the corps and provided that the marines, while subject at all times to the laws and regulations of the Navy, were liable at any time to do duty in the forts and garrisons of the United States. There was no regimental organization, but the corps was to be formed into companies as the President might direct. By an act approved Mar. 3, 1899, its strength was greatly augmented. It now consists of 1 brigadier-general commandant, 7 colonels, 6 lieutenant-colonels, 15 majors and 6,249 other officers and enlisted men.

Marine Corps:

- Appointments in, referred to, IV, 112.
- Compensation to officers of, referred to, II, 340, 534.
- Expenditures of, V, 134.
- Appropriation for, recommended, II, 482.
- Nominations for, referred to, V, 48; VI, 35.
- Plan for peace establishment of, II, 195.
- Rank and position in, discussed, VI, 34.
- Recommendations for, IV, 652.
- Should be merged into artillery or infantry, II, 460.

Marine-Hospital Service discussed, VIII, 346; IX, 445.**Marine-Hospital Service in 1885, 41,714 patients were treated by, VIII, 346.****Marine Hospitals:**

- Construction of, referred to, V, 214.
- Plan for, referred to, III, 396.
- Provision for, recommended, I, 336.
- Sites for, referred to, III, 579, 618.

Appropriation for, recommended, IV, 100.

Marine, Secretary of.—Up to 1781 the Board of Admiralty had supervision of all naval af-

Marine, Secretary of—Continued.

- fairs. Feb. 7 of that year the Continental Congress created the office of Secretary of Marine, whose duties corresponded with those of the present Secretary of the Navy. Before the end of that year, however, the duties of the office were transferred to the Treasury Department.
- Marine Signals**, international conference at Washington for adoption of system of, etc., IX, 33.
- Marino, The**, proceedings of court regarding, II, 329.
- Marion, John H.**, act for relief of, vetoed, VIII, 674.
- Mariposa Big Tree Grove**, presented to Nation by California, XI, 1171.
- Maritime Canal Company** referred to, IX, 188, 753; X, 101.
- Maritime Law**, declaration concerning, referred to, V, 384, 412.
- Maritime Policy**, adoption of, by United States recommended, X, 115.
- Maritime Rights**, correspondence with foreign powers regarding, referred to, VI, 33.
- Maritime War**, rights of neutrals and belligerents in, discussed, II, 252.
- Uniform action of the powers regarding, II, 300.
- Marks, I. D.**, contract alleged to have been made with Mexico by, referred to, V, 100.
- Marmion Case.**—The South Carolina legislature in 1822 passed a law providing that any free negroes entering the ports of that State on ships could be imprisoned until the departure of the vessels. This was done in the case of negroes on board the *Marmion*. The district court of the United States in 1823 decided that this law was contrary to the Constitution and incompatible with the international obligations of the United States. The Attorney-General rendered a similar opinion in 1824.
- Marquez, Leonardo**, American citizens murdered in Mexico by, V, 565, 645.
- Marriages of American citizens abroad**, recommendations regarding, VII, 292, 347, 406.
- Marsden, George**, imprisonment of, by Brazil, V, 246.
- Marsden, Joseph**, member of commission concluding treaty for annexation of Hawaiian Islands, IX, 348.
- Marsh, George P.**, minister to Italy, death of, referred to, VIII, 128.
- Marshall, Humphrey**, correspondence of, referred to, V, 243.
- Marshall, John**:
Letter of Elbridge Gerry to, transmitted, I, 266.
Minister to France, nomination of, I, 245.
Secretary of State, I, 305.
- Marshall, William**, treaty with Indians concluded by, III, 135.
- Marshals, United States**:
Acts making appropriations to pay fees of, vetoed, VII, 541, 545, 591, 592.
Appropriations for maintenance of service of, recommended, VII, 522, 573.
Necessity for, referred to, VII, 583.
Compensation to, discussed, V, 130, 178; VIII, 183, 249, 354, 518.
Referred to, I, 99.
- Marthas Vineyard, Mass.**, lands designated by proclamation for light-houses on, II, 658.
- Martial Law.**—A system of government under the direction of military authority. It is an arbitrary kind of law, proceeding directly from the military power and having no immediate constitutional or legislative sanction. It is only justified by necessity and supercedes all civil government. Sir Matthew Hale said: "Martial law is built on no settled principle, but is arbitrary, and, in truth, no law, but sometimes indulged, rather than allowed, as law." Suspension of the writ of *habeas corpus* is essentially a declaration of martial law. "In this case," says Blackstone, "the nation parts with a portion of liberty to secure its permanent welfare, and suspected persons may then be arrested without cause assigned."
- Martin, Alexander**, legislative act of North Carolina received from, transmitted, I, 72.
- Martin, Elijah**, act for relief of, vetoed, VIII, 677.
- Martin, Henry W.**, treaty with Indians concluded by, VI, 194.
- Martin, Morgan L.**, treaty with Indians concluded by, IV, 679.
- Martin vs. Hunter's Lessee.**—In 1791 Martin brought suit of ejectment against the defendant in the district court of Virginia for the recovery of certain lands. The court decided for the defendant. The court of appeals of Virginia reversed this decision, and their judgment was reversed by the United States Supreme Court in 1816. The court of appeals of Virginia refused to execute this judgment, declaring that the "appellate power of the Supreme Court of the United States does not extend to this court under a sound construction of the Constitution of the United States," and that the "act of Congress to that effect is not in pursuance of said Constitution." The Supreme Court overruled this decision and thus established its jurisdiction upon such points.
- Martinez, F. P.**, Mexican Minister, mentioned, III, 573.
- Martinique, Island of**, volcanic eruption on, X, 457.
- Martinique**, tonnage on American vessels at, referred to, II, 560.
- Marty, Martin**, member of Chippewa Commission, IX, 65.
- Marvin, William**, provisional governor of Florida, appointed, VI, 329.
- Mary, The**, capture and sequestration of, by Netherlands, III, 395.
Claims arising out of, III, 476.
- Mary Lowell, The**, seizure of, by Spanish authorities, referred to, VII, 32.
- Maryland.**—One of the thirteen original States of the Union; motto, "Fatti maschii; parole femine" ("Deeds are men; words are women"). It was founded by Lord Baltimore in 1634 and named in honor of Henrietta Maria, wife of Charles I. Maryland extends from lat. 37° 53' to 39° 43' north and from long. 75° 4' to 79° 33' west. It is bounded on the north by Pennsylvania, on the east by Delaware and the Atlantic Ocean, on the south by Chesapeake Bay, on the southwest by Virginia and West Virginia (separated by the Potomac), and on the west by West Virginia. It is divided into two parts by the Chesapeake Bay. The most important industries are the canning and preserving of fruit, iron and steel manufacturing, founding machine making and the manufacture of cotton goods; Baltimore being the largest producer of cotton-duck in

Maryland—Continued.

the country. The State is noted for its oysters. It was first settled at St. Marys in 1634 as a proprietary colony of the Calvert family, but was governed as a royal province from 1691 to 1716. The Mason and Dixon line was established as the boundary between Maryland and Pennsylvania about 1766. Maryland has an area of 12,210 sq. miles and a population (1900) of 1,188,044; (1905), 1,250,000, estimated.

Maryland (see also Baltimore):

- Act of general assembly of, relating to Chesapeake and Delaware Canal Co., II, 304.
- Census of, referred to, I, 333.
- Cession of Government interest in Chesapeake and Ohio Canal to, considered, III, 559.
- Claims of, against United States for expenditures during War of 1812, II, 328.
- Combinations, unlawful in, discussed and proclamations against, VII, 448, 472.
- Constitutional amendments received from governor of, I, 71.
- District of Columbia, portion of, ceded to Congress by, I, 100.
- Referred to, I, 94.
- Legislature of, arrest and dispersion of members of, would not be justifiable, VI, 17.
- Loan of, to Washington City, payment of, guaranteed by United States, I, 333.
- Ratification of amendment to Federal Constitution by, referred to, I, 71, 259.
- Unlawful combinations in, discussed and proclamations against, VII, 448, 472.

Maryland in Liberia.—A negro colony to the eastward of Cape Palmas, in what is now the Republic of Liberia, Africa, founded by the Maryland State Colonization Society in 1834. Expeditions sent to Monrovia in 1831 and 1832 proved unsuccessful. John Russworm, a citizen of Monrovia, was chosen the first governor in 1836. In 1857 it became part of Liberia.

Mason and Slidell, Confederate envoys to Great Britain and France, removal of, from British steamer *Trent*, VI, 61, 62, 63, 66, 67.

Mason, Otis T., member of Board on Geographic Names, IX, 212.

Mason and Dixon's Line.—The boundary line between Pennsylvania and Maryland. It is coincident with the parallel of 39° 43', beginning at the Delaware River and running 244 miles to the westward, and was laid out by two eminent English mathematicians and astronomers, Charles Mason and Jeremiah Dixon, about 1766. Lord Baltimore and William Penn having disputed the boundary between their adjoining grants, the case was taken to London for adjudication and the parties to the suit were ordered to have the line run. The surveyors marked the line with boundary posts, having on one side the arms of Penn and on the other those of Lord Baltimore. The line became famous in later days as marking in part the boundary between free and slave States. During the discussion in Congress on the Missouri compromise John Randolph of Roanoke made free use of this phrase, which contributed to its more popular use as such dividing line.

Masonic, The, confiscation of, attempted by Spain, discussed, VIII, 39, 172.

Indemnity for, awarded, VIII, 334.

Massachusset Indians.—A tribe of the Algonquian stock of Indians formerly inhabiting

the eastern portion of the present State of Massachusetts and the basins of the Neponset and Charles rivers. In 1617 they were much reduced by pestilence. The Massachusset Indians in 1650 were gathered into the villages of the Praying Indians and lost their tribal identity. They were always friendly to the whites.

Massachusetts.—One of the thirteen original States of the Union; nickname, "The Old Bay State;" motto, "Ense petit placidam sub libertate quietem" ("With the sword she seeks quiet peace under liberty"). It was named from the Massachusset Indians, who occupied the eastern part of the territory. The name means "At the great hills." Massachusetts extends from lat. 41° 14' to 42° 53' north and from long. 69° 53' to 73° 32' west. It is bounded on the north by Vermont and New Hampshire, on the east by the Atlantic Ocean, on the south by the Atlantic Ocean, Rhode Island, and Connecticut, and on the west by New York. Massachusetts chartered the first college in America. It has produced more eminent literary men than any other State of the Union. It is the leading State in the manufacture of boots and shoes and cotton and woolen goods. The commercial interests of the State are also extensive. It was visited by Gosnold in 1602 and settled at Plymouth in 1620. This was the third in the order of settlement of the British Colonies in America. Later settlements were made at Salem and Boston in 1628 and 1630. A Confederate union of the Massachusetts, Plymouth, New Haven, and Connecticut Colonies existed from 1643 to 1684 for defensive purposes. Massachusetts took an important part in the Revolutionary War and the organization of the Government. It was the scene of Shay's Rebellion in 1786-87. It has an area of 8,315 sq. miles and a population, according to the State Census of 1905, of 3,003,635.

Massachussets (see also Boston; Lynn):

- Claims of, for services rendered by militia in War of 1812 discussed, II, 226, 285.
- Constitution of United States, ratification of certain articles of, evidence of, I, 174.
- Governor of—
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 - Refusal of, to furnish militia for defense of frontier, I, 516.
- Prisoners in, provision for, recommended, I, 191.

Massachusetts, The appropriation to owners for detention of the *Perthshire* by, recommended, VI, 46.

Massachusetts, The, (battle ship), mentioned, X, 171.

Massachusetts Bay Company.—A colonizing company chartered in England, Mar. 19, 1628, by John Humphrey, John Endicott, and others. The company grew out of the pre-existing Dorchester Company, and was the result of imperiled political and religious rights in England under Charles I. The patentees received a grant of land extending from the Atlantic to the "Western Ocean," in width from a line running 3 miles north of the Merrimac to one running 3 miles south of the Charles. Endicott headed a colony which settled at Salem in September, 1628. Mar. 4, 1629, a new charter was granted to the governor and company of Massachusetts Bay, and the old

Massachusetts Bay Company—Continued.

officers were succeeded by John Winthrop as governor, with a deputy and 18 assistants. In 1630 Winthrop, at the head of a large body of settlers, transferred the company headquarters to America and founded Boston. Under this charter Massachusetts carried on her government for 55 years.

Massacre of Christians. (See Armenians.)

Masterson, Katherine C., mentioned, X, 799.

Mataafa, insurrection in Samoan Islands under, IX, 439, 531.

Arrangements for return of, and other exiles, X, 111.

Matanzas, Cuba, harbor and forts at, shelled by American squadron, X, 90.

Mather, Thomas, treaty with Indians concluded by, II, 323.

Mathews, John, district supervisor, nomination of, I, 99.

Matlock, Gideon C., treaty with Indians concluded by, IV, 454.

Matta, Mr. (See *Baltimore*, The.)

Matthews, Edmund O., member of Gun Foundry Board, VIII, 161.

Matthews, George, instructions to, regarding possession of Florida, I, 506.

Unauthorized conduct of, discussed and powers given, revoked, I, 507.

Matthews, James C., recorder of deeds, District of Columbia, nomination of, and reasons therefor, VIII, 531.

Maury, Matthew F.:

Immigration plans of, referred to, VI, 373.

Improvement in science of nautical affairs by, V, 134.

Maury Mountain Forest Reserve, proclaimed, X, 964.

Maximilian (Ferdinand Maximilian Joseph):

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Decrees of—

Declaring blockade of ports proclaimed void, VI, 433.

Reestablishing slavery in Mexico referred to, VI, 371.

Organization for purpose of avenging death of, referred to, VI, 582.

Maxwell, Hugh, authority issued to, to arrest unlawful expedition, V, 161.

Mayaguez, Puerto Rico, land at, reserved for custom house, X, 618.

Maybrick, Florence E., imprisonment of, in Great Britain, IX, 669.

Mayflower Compact.—Before the landing of the Pilgrim Fathers the company gathered in the cabin of the *Mayflower*, in Provincetown Harbor, Nov. 11, 1620, and there bound themselves into a body politic and pledged themselves to abide individually and collectively by the laws they should make.

Mayson, F. G., lieutenant in Marine Corps, appointment of, referred to, IV, 423.

Maysville, Washington, Paris and Lexington Turnpike Road Co., act authorizing subscription of stock in, vetoed, II, 483.

Mazzei Letter.—A private letter written by Thomas Jefferson to an Italian named Mazzei in 1796. The letter was translated and published in an English paper. It aroused much animosity against Jefferson by its supposed allusion to Washington and others as those "Samsons in the field and Solomons in the council" who had formed an Anglican monarchical aristocratic party

in America whose avowed object was "to draw over us the substance, as they had already done the forms, of the British Government."

Mead, Cowles:

Arrival of Aaron Burr in Mississippi announced by, I, 419.

Surrender of Aaron Burr announced by, I, 421.

Mead, James R., act for relief of, vetoed, VII, 271.

Meade, George G.:

Instructions to, referred to, VI, 628.

Order to, regarding suppression of military expedition, VI, 433.

Meade, Richard W., imprisonment of, by Spain and claim arising out of, II, 25.

Meade, Richard W., United States Navy:

Agreement with great chief of Tutuila concluded by, VII, 168.

Mentioned, IX, 401.

Measures. (See *Weights and Measures*.)

Meat Products. (See *Animals and Animal Products*.)

Mechanicsville (Va.), Battle of.—One of the Seven Days' Battles before Richmond. On June 26, 1862, Lee massed his troops on his left, A. P. Hill crossing to the north side of the Chickahominy and being supported by Longstreet and D. H. Hill. Jackson joined the Confederate forces later. The Confederate attack on Fitz-John Porter at dawn was repulsed, but the Federal army subsequently retired. According to Federal accounts, the Confederate loss was 1,500, the Union 361. This battle is also called the battle of Beaver Dam Creek.

Mecklenburg Declaration.—A series of resolutions purporting to have been adopted by the citizens of Mecklenburg County, N. C., May 20, 1775, declaring their independence of Great Britain, followed by a second series of resolutions, adopted on the 31st of May, providing for a local government. The independence resolutions were first published in 1819 and created much discussion as to their genuineness. They contained several phrases almost or quite identical with portions of the document adopted at Philadelphia July 4, 1776. Thomas Jefferson immediately declared them fraudulent. It was admitted that the original Mecklenburg resolutions were burned in 1800 and that those published in 1819 were reproduced from memory by a son of one of the secretaries of the meeting. The North Carolina legislature investigated the matter and secured enough evidence to warrant them in making May 20 a State holiday. The historians are divided in opinion. Hildreth, one of the most critical, admits the validity of the Declaration, but, curiously enough, says it was made May 31. Bancroft contends that only a provisional government was formed, and that on the date of the 31st. There is no dispute as to the fact that a government was organized. In North Carolina, among the Scotch-Irish people, there exists little doubt that the Mecklenburgers declared their independence on May 20, 1775. William A. Graham, Secretary to the Navy from 1850 to 1852 and candidate of the Whigs for Vice-President in 1852, was the son of Joseph Graham, who was present at the meeting in Charlotte which declared independence, and testified to the fact,

Mecklenburg-Schwerin :

Treaty with, IV, 567, 629.

Vessels of, discriminating duties on, suspended by proclamation, III, 146.

Medals, Life Saving, government grant of, X, 804.

Medary, Samuel, mentioned, V, 469.

Medical Museum, Army, building for, recommended, VII, 620; VIII, 193, 246.

Medicine Bow Forest Reserve, proclaimed, X, 501, 502; XI, 928.

Medill, William, treaty with Indians concluded by, IV, 671.

Mediterranean Sea :

Naval force in, should be increased, I, 345, 368; II, 257.

Piracies in, II, 363.

Trade with, I, 83, 85, 86.

Vessels sent to, for protection of commerce, I, 326, 359, 370; II, 62, 257, 308, 362, 445.

Mediterranean Squadron referred to, IV, 52, 100.

Medium of Exchange :

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Gold and silver—

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To take place of bills below \$20 recommended, III, 166.

Paper used as, discussed, IV, 44, 82.

Restoration of uniform system of, recommended, I, 578.

Medoc Forest Reserve, proclaimed, X, 794.

Mee-sée-qua-gulch Indians, treaty with, V, 379.

Meigs, Montgomery C. :

Act making appropriation for Government expenses, including work to be superintended by, discussed, V, 597.

Appointed on commission to examine subject of reorganization of Army, VII, 398.

Report of, on—

Extension of Capitol transmitted, V, 384, 579.

Error in, referred to, V, 385.

Water supply for Washington City, V, 189.

Meigs, Return J., treaty with Indians concluded by, II, 265.

Melbourne, Australia :

International exhibition at, to celebrate centenary of founding of New South Wales, VIII, 591.

International Exhibition of Arts and Industries at, discussed, VII, 567, 607; VIII, 38.

Melcher, Jacob, ensign in Navy, nomination of, I, 63.

Melcher, Louis, act granting pension to, vetoed, VIII, 418.

Melton, Miss, assailants of, in Turkey, conviction of, discussed, IX, 530.

Members of Congress. (See Representatives; Senators.)

Memphis (Tenn.), Capture of.—After the evacuation of Corinth, Miss. by Beauregard, Fort Pillow, 40 miles above Memphis, was useless, as the Union army could take it from the rear. The Confederates therefor spiked the guns, burned the barracks and what supplies they could not take away, and their

gunboats dropped down the river to Memphis. The Confederate fleet consisted of 8 vessels, mounting 28 guns, commanded by Commodore Montgomery. On June 6, 1862, Commodore Davis, with 5 Union gunboats and 2 rams, appeared before the city, and Montgomery went forth to give him battle. After 1 hour and 20 minutes of fierce fighting the Confederate fleet was defeated. Col. Ellet, who built the rams, was the only person injured on the Federal side. The number of killed and wounded on the Confederate side is not known, but was probably between 80 and 100.

Memphis, Tenn., navy-yard to be established at, IV, 349.

Proposition of city authorities of, relative to, V, 296.

Memphremagog, Lake. (See Lake Memphremagog.)

Men-of-War. (See Vessels, United States.)

Menard, Pierre, treaty with Indians concluded by, II, 422, 423, 425, 466.

Mendenhall, Thomas C. :

Chairman of Board on Geographic Names, IX, 212.

Letter of, and memorial regarding preservation of forests transmitted, IX, 60.

Menocal, Anecito G., mentioned, VIII, 328.

Menominee Indians.—A tribe of the Algonquian family of Indians, which since it first became known to the whites has occupied lands in Wisconsin and upper Michigan, chiefly along the Menominee River and the west side of Green Bay, and extending south to the Fox River and west to the Mississippi. The name means "wild rice men," from their principal article of food. The French translated the name into "Folles Avoines," by which the Menominees are sometimes known. They now number about 1,300 at the Green Bay (Wis.) Agency. In the early Indian wars they sided with the British.

Menominee Indians :

Lands ceded to United States by, IV, 651.

Referred to, V, 305.

Sale of timber on reservation of, referred to, VIII, 72.

Treaty with, II, 20, 347, 397, 430, 541, 635; III, 272; IV, 451, 671; V, 240, 363.

Menominee Reservation, Wis., sale of timber on, referred to, VIII, 72.

Mercantile Marines of France, Germany, Great Britain, and Italy referred to, VIII, 393.

Merchant Marine.—The British navigation acts, beginning in 1645, prohibited importations into the Colonies except in English or colonial built ships. Though seriously restricting commerce, these acts served to stimulate the shipbuilding interest. Between 1789 and 1797 the registered tonnage increased 384 per cent. From 1837 to 1857 the tonnage increased from 810,000 to 2,268,000, and in 1861 the aggregate tonnage of American registered vessels reached the highest point—5,539,813. This nearly equaled the combined tonnage of all other nations excepting Great Britain, which alone was slightly in excess of it. For various reasons American shipping fell off since the Civil War, until it is quite insignificant. During recent years, however, a revival has taken place, more especially in the coastwise trade, the number of vessels (1905) engaged in it being 21,788, with a tonnage of 5,441,688. The total American tonnage (1906) is 6,456,593, only a small propor-

Merchant Marine—Continued.

tion of which is engaged in foreign trade; as compared with Great Britain whose tonnage amounts to over 17,000,000 the figures appear small, but they are large enough to place the United States second on the list.

Merchant Marine. (See Commerce discussed.)

Merchant Vessels:

Claims resulting from destruction of United States vessels by Confederate vessels referred to, VII, 10.

Condition of American, X, 429, 430, XI, 1163. Discussed, X, 14, 16, 113, 134, 156, 211, 235, 429.

Naval force for protection of, in Mexican ports, etc., recommended, V, 569.

Mercier, Henri, French minister, visit of, to Richmond, Va., referred to, VI, 153.

Meridian Conference, International:

At Washington discussed, VIII, 131, 213, 240, 254, 595.

Invitation of Italian Government to attend, IX, 111.

Meriwether, David, treaties with Indians concluded by, II, 20; V, 351.

Mero District. (See Miro District.)

Merrimac, The. (See Hampton Roads (Va.), Battle of.)

Merrimac, The (Confederate ram), engagement of, with—

Cumberland, VI, 144.

Monitor, VI, 112.

Merrimac, The.—This vessel, a two-masted iron steamship of 5,000 tons, was used by the United States in the Spanish-American War as a collier. During the month of May, 1898, the Spanish fleet under Admiral Cervera took refuge in the harbor of Santiago. The city of Santiago is well located within the harbor, about 5 miles from the ocean proper. The channel leading from the harbor out to the ocean is at certain points quite narrow and comparatively easy to obstruct. This channel was well covered by Spanish batteries on shore, so that it was deemed unwise on the part of the American officers to attempt to enter the harbor with war ships. The American commander decided to attempt to block the channel, and for this purpose concluded to sink the *Merrimac* at a narrow point. It follows necessarily that such an undertaking would be exceedingly dangerous to those who were to steer the unarmed vessel within the channel, and then at the proper moment sink it and endeavor to escape by swimming ashore or attempting to reach a lifeboat. Assistant Naval Constructor Richmond P. Hobson was chosen at his own request to execute the hazardous undertaking. Volunteers were called for to accompany and assist him. Fifteen hundred officers and men responded, gallantly tendering services, and begged that they be accepted. Six only were accepted, whose names are Daniel Montague, chief master-at-arms of the *New York*; George Charette, gunner's mate of the *New York*; John Murphy, cockswain of the *Iowa*; Francis Kelly, water tender; George F. Phillips, machinist, and Cockswain O. W. Deignan, the last three of the *Merrimac*. Randolph Clousen, cockswain of the *New York*, was during the delay of one day added to the company. On the morning of June 3, 1898, at about half past 3 o'clock, Hobson steered straight into the channel under a heavy fire

from Spanish guns on both sides. As the *Merrimac* reached the spot that had been picked out for her sinking he gave orders to explode the torpedoes. Two of them only exploded. Amid the tremendous fire from the shore batteries, the firing of 8 electric mines in the channel, and torpedoes from 2 Spanish vessels the collier sank, her masts and smokestack showing above the water, obstructing but not blocking the fairway. As the ship went down the Spaniards sent up a cheer, believing they had sunk some large war vessel. Hobson and his men held on to a catamaran belonging to their sunken ship for about an hour. Just after sunrise a steam launch came down the harbor with Admiral Cervera on board. Hobson and his men were taken on board the launch, were courteously treated by their captors, and placed in prison. They were all exchanged July 6. The sinking of the *Merrimac* was an act of heroism which challenged the admiration of the world. The President, in a message to Congress, speaking of the incident, said: "This enterprise, demanding coolness, judgment, and bravery amounting to heroism, was carried into successful execution in the face of a persistent fire from the hostile fleet as well as from the fortifications on shore" (X, 80). Rear-Admiral Sampson said: "I cannot myself too earnestly express my appreciation of the conduct of Mr. Hobson and his gallant crew. I venture to say that a more brave and daring thing has not been done since Cushing blew up the *Albatross*" (X, 81). The President recommended that a vote of thanks be given Hobson by Congress. He and his crew were subsequently promoted.

Merrimac, The (United States collier), sinking of, in Santiago Harbor, Cuba, by Lieut. Richmond P. Hobson, X, 80, 91.

Naval Cadet Powell to be made ensign for attempting to rescue force of, X, 81.

Thanks of Congress to Lieut. Hobson and promotion of, recommended, X, 81.

Merritt, Edwin A., collector of the port of New York:

Congratulations of President on confirmation of, VII, 549.

Modifications of rules submitted by, VII, 550, 555.

Merritt, Wesley:

Directed to aid in executing laws in Indian Territory, IX, 48.

Expeditions to Philippine Islands under command of, X, 90.

Attack upon and surrender of Manila, X, 94.

Thanks of President tendered, X, 354.

Instructions of President regarding military occupation of islands, X, 344, 346, 347.

Joint occupancy with insurgents not to be permitted, X, 354.

Merryman Case.—Merryman, a citizen of Maryland, was arrested at his home in 1861 by order of an officer of the United States Army and charged with treason. He was imprisoned in Fort McHenry. Chief Justice Taney granted a writ of *habeas corpus*, which the officer in charge of the prisoner refused to execute on the ground that the President had suspended the writ. The case was taken before the Supreme Court of the United States. The court decided that power to suspend the writ of *habeas corpus* was not

Merryman Case—Continued.

vested in the President, Congress alone having that privilege, and that a military officer has no right to arrest a person not subject to the Rules and Articles of War except in aid of judicial authority. (See also Habeas Corpus; Milligan Case.)

Mertz, Anna, act granting pension to, vetoed, VIII, 670.

Mescalero Agency, N. Mex., buildings at, recommended, VIII, 105.

Mescalero Reservation, N. Mex., improvements on, payment to settlers for, recommended, VIII, 397.

Messages and Papers of the Presidents, resolution authorizing compilation of, and requesting Hon. James D. Richardson to take charge of the work of preparing the same, I, 111.

Messages, Presidential.—A written communication by the President to Congress. At the beginning of each session an annual message is transmitted going into details of our standing as a nation and recommending such action by the House and Senate as may be deemed necessary to the progress of the country or the correction of abuses. Special messages are sent from time to time to either or both Houses, submitting treaties or correspondence, or in answer to a request from either branch for particular information, or to recommend specific or immediate legislation. Veto messages are sent with the returned bills which the President disapproves, in which he states his reasons for such disapproval. After pointing out wherein a bill fails to meet the requirements of the case he usually suggests the way to an effective measure that may receive Executive sanction. Article II, section 3, of the Constitution declares that the President "shall from time to time give to the Congress information of the state of the Union and recommend to their consideration such measures as he shall judge necessary and expedient." Washington and John Adams read their annual messages to Congress. Jefferson inaugurated the custom, since followed by all of his successors, of sending messages in writing to Congress (I, 325). They are carried by the private secretary of the President, who is received at the door of the Senate or House, and whose presence is formally announced by an officer of the body, whereupon he delivers the message to the clerks.

Messages, Presidential. (See Annual Messages; Special session messages; Veto messages, under the several Presidents.)

Metals, Precious. (See Gold and Silver.)

Meteor, The, seizure and detention of, referred to, VI, 382.

Meteorological Observatory, establishment of, at Fort Myer, Va., recommended, VIII, 205.

Metric Convention with certain foreign governments referred to, VII, 358, 608.

Metric System, obligatory use of, referred to, VII, 456. (See also Decimal System, etc.)

Mettakantla Indians, proposed citizenship for, XI, 1178.

Mexican Cotton-boll Weevil, report on, X, 857.

Mexican War.—The Mexican War grew out of the annexation of Texas by the United States. Mar. 2, 1836, Texas seceded from

Mexico and declared her independence, which she maintained by the defeat of Santa Anna in the battle of San Jacinto, Apr. 21, 1836. The United States, England, France, and Belgium recognized the new Government as independent. Dec. 29, 1845, Texas was annexed to the United States. A dispute as to the boundary induced President Polk to order Gen. Taylor to take a position in the disputed territory on the left bank of the Rio Grande. Here (near Matamoros) he was attacked Apr. 23, 1846, by Mexicans under Arista, and a portion of his army was captured. Taylor advanced into the north of Mexico, leaving garrisons at Corpus Christi and at Fort Brown, opposite Matamoros, and after the battles of Palo Alto (May 8, 1846), Resaca de la Palma (May 9, 1846), Buena Vista (Feb. 22, 23, 1847), and a number of lesser fights, in which the Mexicans were defeated, he obtained control of all northern Mexico. Gen. Scott, landing at Vera Cruz, advanced to the City of Mexico, defeating Santa Anna at Cerro Gordo (Apr. 17, 18, 1847), Contreras (Aug. 19, 20, 1847), Churubusco (Aug. 20, 1847), and Molino del Rey (Sept. 7, 8, 1847), causing the surrender of the capital and the termination of the war Sept. 14, 1847. During these operations in Mexico Gen. Kearny and Lieut. Fremont occupied California and New Mexico with American troops. Under the treaty of peace signed at Guadalupe Hidalgo (IV, 573) Mexico, upon payment by the United States of \$15,000,000 and of private claims which amounted to \$3,250,000, ceded to the latter the territory now comprising Nevada, Utah, most of Arizona, a large part of New Mexico, portions of Colorado and Wyoming, and all of California (IV, 587).

Mexican War:

American blood shed on American soil, IV, 442.

American forces—

Gallantry of, referred to, IV, 640.

General officer to take command of, required, IV, 508.

Increase in, recommended, IV, 508.

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Movement of, referred to, IV, 440, 484.

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Ample cause of war against Mexico asserted, IV, 479, 533.

Appropriation by Congress for prosecuting, referred to, IV, 537.

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Charge that American army invaded territory of Mexico refuted, IV, 482.

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 Gen. Scott in command of American troops, IV, 448.
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 Gen. Taylor in command of American troops, IV, 441.
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535, 569, 572, 573, 574, 679. (See also California; New Mexico.)

Treaty of peace—

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Increase in, recommended, IV, 549.

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Mexico.—A North American Republic, extending from lat. 14° 30' to 32° 42' north and from long. 86° 46' to 117° 8' west. It is bounded on the north by the United States, on the east by the Gulf of Mexico and the Caribbean Sea, on the south by British Honduras, Guatemala, and the Pacific Ocean, and on the west by the Pacific Ocean. The Republic includes Lower California and Yucatan. It has 27 States, 1 federal district, and 3 territories. Mining, agriculture, and cattle raising are extensively carried on. The Government is modeled after that of the United States. The language is Spanish, the religion Roman Catholic, and the people chiefly creoles, Indians, and mixed races. Mexico has an area of 767,316 sq. miles and a population (1900) of 13,605,819. The early inhabitants were Toltecs, Aztecs, and other native races. Some of the leading historical events of the country are: The invasion of Cortez, 1519; conquest of the capital, 1521; the country made a Spanish colony under the name of New Spain (a viceroyalty after 1535); revolution under Hidalgo, 1810; partially suppressed, 1815; revolution under Iturbide and Spanish viceroy deposed, 1821; Empire established, 1822; Texas seceded, 1836, which finally resulted in war with the United States, 1846-1848. There were frequent changes in its government until 1862, when war began with France. Maximilian established an Empire, which was upheld by French troops, in 1864, during the Civil War in the United States. The United States protested at the time against the establishment of the Empire because it was in violation of the Monroe doctrine. Shortly after the close of the American Civil War the French troops were withdrawn, and Maximilian, being left to his own resources, was unable to maintain the Empire. He was captured by the Republican forces, condemned to death, and shot in 1867. (See also Mexican War.)

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Liberated, IV, 197.

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- Act should not be considered as encroachment upon rights of, III, 238.
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- Mexico, City of, Surrender of.**—After a series of brilliant operations the United States invaders had overcome three times their own number and were in possession of the capital of Mexico. Before daylight of Sept. 14, 1847, the city council had waited upon Gen. Scott, the American commander, and demanded terms of surrender. He replied that the city had come into his power the night before and that the terms accorded would be imposed by the American army. At 7 o'clock the United States flag was hoisted on the top of the National Palace, and at 9 o'clock Gen. Scott rode into the plaza, escorted by the Second United States Dragoons. Soon after taking possession of the city a fire was opened upon the American soldiers from the roofs of houses, from windows, and street corners by about 2,000 convicts who had been liber-

ated the night before by the fleeing Government. These were joined by as many soldiers, who had disbanded themselves and assumed the garb of citizens. This firing was kept up in a desultory way for 24 hours, and many soldiers were killed or wounded.

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Michigan.—One of the United States; nickname, "The Wolverine State;" motto, "Si quaeris peninsulam amœnam, circumspice" ("If you seek a delightful peninsula, look about you"). It consists of 2 peninsulas, which extend from lat. 41° 45' to 47° 30' north and from long. 82° 25' to 90° 30' west. The southern peninsula is bounded on the east by Lakes Huron, St. Clair, and Erie and by Canada (separated by the St. Clair and Detroit rivers), on the south by Indiana and Ohio, and on the west by Lake Michigan. The upper peninsula (separated from the southern by the Strait of Mackinaw) lies between Lake Superior on the north and Lakes Huron and Michigan and the State of Wisconsin on the south and west. The State is noted for its great mineral wealth. Its chief industries are the production of copper, salt, lumber, wool, iron, and in the manufacture of furniture it is one of the most prominent States in the Union. The lumbering industry, in which it formerly led the country, has declined owing to the misuse of the forest, although the industry is still considerable. Large quantities of wheat are also grown in the State. Michigan was first settled by the French at Sault Ste. Marie in 1668. It was ceded to Great Britain in 1763, was formally surrendered to the United States in 1796, formed part of the Northwest Territory and later of Indiana Territory, and was constituted Michigan Territory in 1805. Detroit was taken by the British in 1812, but was recovered by the United States in 1813. Michigan was admitted to the Union in 1837. Area, 58,915 sq. miles; population according to the State Census of 1905, 2,670,000.

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- Supplies furnished citizens of, I, 542.
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Michigan, Lake. (See Lake Michigan.)

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Middle Creek (Ky.), Battle of.—Jan. 9, 1862, Col. James A. Garfield broke up his camp at Muddy Creek, Ky., and advanced with 1,800 men to attack Gen. Humphrey Marshall, who had some 2,500 troops, in Johnston County. Marshall, being advised of Garfield's approach, took up a position on the heights of Middle Creek, about 2 miles from Prestonsburg. On the morning of the 10th Garfield began the attack. The battle lasted all day. Marshall retired from the field in the evening upon the arrival of Federal reinforcements and burned his stores to prevent their falling into Federal hands. Seventy-five of the Confederate dead were picked up on the field. The Union loss was less than 30, according to Federal accounts.

Middle States, armed neutrality in, discussed, VI, 24.

Midnight Appointments.—During the last days of his Presidential term John Adams, piqued at the success of Jefferson, whom he bitterly opposed for the Presidency, made a number of Federal appointments, in every instance of men opposed to Jefferson and his principles. Among the appointments were 16 circuit judges. Some of the commissions of these appointees were signed just before midnight of March 3, 1801, and were called "midnight appointments."

Midshipman.—One who is under training to become an officer in the United States Navy, by a course of instruction and discipline at the Naval Academy at Annapolis. Each Senator, Congressional District, Territory and the District of Columbia is entitled to have two midshipmen at the Academy, one midshipman is allowed from Puerto Rico, and the President has five nominations a year at his disposal. Candidates for nomination must be between 16 and 20 years of age. The course of instruction occupies 6 years, 4 years spent at the Academy and two years at sea, at the end of which period the graduation examination is taken. While under instruction midshipmen receive pay at the rate of \$500 per annum; out of which they defray

their subsistence and clothing expenses. Midshipmen, on admission to the Academy make an agreement to serve in the navy for 8 years and also deposit \$200 to cover cost of their outfit.

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- Discussed and referred to by President—
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 - Madison, I, 482, 489, 491, 518, 528, 537.
- Proclamations regarding, issued by Jefferson and Madison, I, 472, 481.

Milan Decree.—Nov. 11, 1807, France and England being then at war, the King of Great Britain and his privy council issued a decree forbidding trade between the United States and any European country under Napoleon's power. Napoleon thereupon, in retaliation, on Dec. 7, 1807, issued the Milan Decree, in which he declared "denationalized," whether found in continental ports or on the high seas, any vessel which should submit to search by a British vessel or should touch at or set sail to or from Great Britain or her Colonies. (See also Berlin Decree; Embargo; Orders in Council.)

Milan, Italy, Beneficence Congress at, VIII, 39.

Mileage.—Compensation for traveling expenses at a certain rate per mile. The First Congress passed a law allowing each member \$6 for every 20 miles traveled in going to and from Congress. In 1818 this was raised to \$8, and in 1856 mileage was limited to 2 sessions. Railway transportation having cheapened traveling expenses, Congress in 1866 reduced the mileage to 20 cents a mile each way.

Mileo, Nicolino, impressment of, into service of and punishment by Italy referred to, IX, 238.

Miles, Dixon S., court of inquiry in case of, referred to, VI, 59.

Miles, Nelson A.:

- Authorized to perform duties of Secretary of War in emergency, X, 379.

- Member of Ponca Indian Commission, VII, 630.

- Outbreaks among Sioux suppressed by, IX, 201.

- Puerto Rican campaign under command of, X, 93.

- Surrender of Indians to, VIII, 514.

Miles, The, claims of owners of, against Portugal, IV, 603.

Military Academy.—As early as 1770 the idea of a national military academy had been advanced. A committee of the Continental Congress was appointed to "prepare and bring in a plan of a military academy of the army." Washington called the attention of Congress to the matter in 1793, and in 1796 recommended the institution of a military academy (I, 202). Mar. 16, 1802, Congress passed the law founding the Academy. The present high standard of the Academy is due largely to the efforts of Bvt. Maj. (afterwards Gen.) Sylvanus Thayer, of the Corps of Engineers, known as the "Father of the Academy." The General Commanding the Army has, under the War Department, supervision of the Academy. The immediate government consists of a Superintendent, commandant of Cadets, and 7 commissioned professors. The act of Congress of June 6,

Military Academy—Continued.

1900 provided that the corps of Cadets shall consist of 1 from each Congressional district, 1 from each Territory, 1 from the District of Columbia, 2 from each State at large, and 30 from the United States at large. The act approved June 28, 1902, provided that the number of Cadets to be appointed from the United States at large is not at any one time to exceed 40. An additional appointment of 1 Cadet from Puerto Rico was authorized by a provision in the act of March 3, 1903. With each candidate appointed 2 alternatives are also named. The act of June 11, 1878, had provided that the number of Cadets at large should not exceed 10, and this number had been increased to 20 by an act of March 2, 1899. The Cadets are appointed by the President, those from the Congressional districts being recommended by a Congressman from the respective districts, and those from the States at large being recommended by the Senators of the respective States. Those from the United States at large and from the District of Columbia are appointed directly by the President. With the exception of those appointed from the United States at large, applicants must be actual residents of the Congressional or Territorial districts or of the States respectively from which they are appointed. Except in cases of unexpected vacancies appointments must be made 1 year in advance of the date of admission. By the act of June 28, 1902, it was provided that the pay of the cadets should be fixed at \$500 a year and 1 ration per day or commutation therefor, such commutation to be \$.30 a day. Each student pays all of the expenses for his personal support. Outside of studies relating to the art and science of war, the chief subjects of instruction are mathematics, drawing, natural and experimental philosophy, chemistry, geology, mineralogy, physics, electricity, history, constitutional and international law, and the Spanish and French languages. Examination for entrance to the Academy are held at various army posts throughout the country on the 1st of May of each year, and are under the supervision of the Secretary of War. In 1902 the standard of requirements for admission was raised and provision was made for the admission of cadets by certificates of educational qualification. Candidates must be between 17 and 22 years of age, at least 5 feet in height, of sound health and good moral character. They take the oath of allegiance to the United States and serve 8 years unless sooner discharged. Graduates are commissioned second lieutenants by the President. In 1903 the number of officers and instructors was 89; and in 1904 there were 94. The maximum number of Cadets is 523, which includes 1 cadet from Costa Rica receiving instruction under a joint resolution of Congress. The year 1904 opened with 481 Cadets and 124 were graduated in that year, the largest number in the history of the Academy.

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- Increase in corps of, recommended, VI, 48.
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- Enlargement of, necessary, I, 445, 486, 566.
- Establishment of, recommended, I, 202, 205; II, 312.
- Expenditures of, VIII, 349.
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- Military Commanders** (see also Military Districts and Divisions):
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- Foreign guests attending, not to pay duties on baggage, VIII, 579.
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- Military Information, Bureau of:**
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- Military Park.** (See Chickamauga and Chattanooga National Military Park.)
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Military Schools and Colleges.—Besides the

United States Military Academy (q. v.) at West Point there are the following schools and colleges making up a system of military education: The War College, for advanced instruction in the science and art of war, at Washington, D. C.; the General Service and Staff College, at Fort Leavenworth, Kansas; the Artillery School, at Fort Monroe, Virginia; the School of Submarine Defense, at Fort Totten, New York; the Engineer School of Application, at Washington, D. C.; the School of Application for Cavalry, and Field Artillery, at Fort Riley, Kansas, and the Army Medical School, at Washington, D. C.

Military Stores, provision for—

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Military Tribunals. (See Military Courts and Commissions.)

Militia.—Citizens of a State enrolled as soldiers for training and discipline, but called into active service only in emergencies, as distinguished from the regular soldiers, who are in constant service. The Constitution empowers Congress "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions." In 1792 an act was passed to provide for the national defense by establishing a uniform militia throughout the United States by the enrollment of every free able-bodied white male citizen between the ages of 18 and 45. (See Army.) An act of Mar. 2, 1867, permitted the enrollment of negroes. The militia was called out by Federal authority in 1794 to quell the Whisky Rebellion in western Pennsylvania, during the War of 1812, and in 1861, during the Civil War. A militia law approved January 21, 1903, provided for the better equipment of this service and supplied an organic connection between the National Guard and the Regular Army, the purpose being to create a National Volunteer Reserve that could be called upon whenever needed by the general Government. This law provides that the militia shall consist of every available male citizen in the respective States, Territories, and the District of Columbia, and every available male of foreign birth who has declared his intention to become a citizen, the entire militia body being divided into two classes: (1) the Organized Militia, to be known as the National Guard of the State, Territory, or District of Columbia, or by such other designation as may be given them by the laws of the respective States or Territories; and (2) the remainder, to be known as the Reserve Militia

The organized militia consists of those State and Territorial organizations that have in the past or shall in the future participate in the annual appropriation made by Congress for the militia, and the organization, armament, and discipline of the organized militia is the same as that prescribed for the regular and volunteer army. The militia is liable to the call of the President for a period of not more than nine months and when in active service is subject to the same rules as the regular troops and receives the same pay. The Secretary of War issues without cost to the States or Territories all arms and equipment necessary to supply all of the organized militia. The Secretary of War is also authorized to provide for the preparation of the organized militia for the encampment maneuvers and field maneuvers of the regular army in which the militia receives the same pay, subsistence and transportation as the regular army. Upon the requisition of the Governor of any State or Territory having militia organized under this law, the Secretary of War may assign one or more officers of the regular army for service in the militia of the State or Territory. Alaska and Indian Territory have no militia. Guam and Samoa have small provisional forces used for police purposes. The Philippines have a constabulary force for police or regular military service. Puerto Rico has a provisional force under the command of a Lieutenant-Colonel of the United States Army. Congress annually appropriates \$1,000,000 for the support of the militia, the apportionment for the various branches of the service being, for the year 1904, as follows: for pay of officers and enlisted men \$300,000; for the purchase of supplies for quartermasters, and Ordnance Departments, transportation, etc. \$600,000; and for subsistence and supplies \$100,000.

Militia (see also Army):

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Cavalry tactics for use of, prepared, II, 361.

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Encouragement of National Guard recommended, IX, 115.

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Mill Springs (Ky.), Battle of.—Early in the winter of 1861–62 the Confederate General Felix K. Zollicoffer, with a force of about 5,000 men, intrenched himself at Mill Springs, on the Cumberland River in Wayne County, Ky. Jan. 17, 1862, Gen. George H. Thomas, with 8,000 Union troops, advanced to dislodge him. The Confederates set out to meet Thomas, and on Jan. 19, 1862, an engagement took place, begun by the advance guard of both armies. The Confederates were driven back to their camp, which they abandoned during the night. Twelve pieces of artillery, 156 wagons, 1,000 horses and mules, as well as large quantities of small arms, ammunition, and stores fell into the hands of the Union army. Crossing the Cumberland River, the retreating army burned their boats to prevent pursuit. The loss on the Confederate side was 350. The Unionists lost 246. Gen. Zollicoffer was among the Confederate dead.

Mill Springs, Ky., battle of, discussed, VI, 100.

Milledge, John, letter of President Madison to, regarding taking of oath, I, 466.

Miller, James, governor of Arkansas, legalization of official acts of, recommended, II, 232.

Miller, Joseph N., joint resolution annexing Hawaiian Islands delivered to President Dole by, X, 107.

Miller, Mary Ann, act granting pension to, vetoed, VIII, 445.

Miller, Samuel, act granting pension to, vetoed, VIII, 447.

Miller, Washington D., secretary to President Houston, of Texas, IV, 319.

Miller, William, refuge given to, by the *Sz. Louis*, II, 570.

Milligan Case.—A United States Supreme Court case involving the right of the President to suspend the rights of citizens under *habeas corpus* proceedings. Oct. 5, 1864, during the Civil War, Milligan was arrested by order of Gen. Hovey, and on Oct. 21 was brought before a military commission convened at Indianapolis, Ind., by the same officer. He was tried, found guilty, and sentenced to be hanged for participating in rebellious schemes. By the *habeas corpus* act of Congress in 1863 lists were to be furnished in

each State of persons suspected of violating national laws. But any such persons arrested against whom no indictments should be found by the circuit or district court were to be freed on petition verified by oath. The Milligan indictment was not found by the circuit or district court. He objected to the authority of the military commission and sued for a writ of *habeas corpus* in the circuit court. The case coming before the Supreme Court in 1866, it was decided, Justice Davis reading the opinion, that the writ should be issued and the prisoner discharged. The court held that the power of erecting military jurisdiction in a State not invaded and not in rebellion was not vested in Congress and that it could not be exercised in this particular case; that the prisoner, a civilian, was exempt from the laws of war and could only be tried by a jury; that the writ of *habeas corpus* could not be suspended constitutionally, though the privilege of that writ might be. The Chief Justice and Justices Wayne, Swayne, and Miller, while concurring in the judgment, made through the first named a separate statement of reasons. The decision expressly stated that conspiracies to aid rebellion were enormous crimes and that Congress was obliged to enact severe laws to meet the crisis. (See also *Habeas Corpus*; *Merryman Case*.)

Millikens Bend (La.), Battle of.—During the operations before Vicksburg Grant had withdrawn troops from all the posts within his reach to strengthen his army. The fort at Millikens Bend, on the Mississippi River, in Louisiana, was left in charge of a small garrison, mostly negroes. June 6, 1863, the place was attacked by a party of Louisiana Confederates under Gen. Ben. McCulloch, who might have been successful in their assault but for the arrival of the gunboats *Choctaw* and *Lexington*. The Confederates were repulsed. The Federal loss was 404 killed and wounded.

Mills, Emily G., act for relief of, vetoed, VIII, 652.

Mills, Samuel M., mentioned, VIII, 191.

Milwaukee, Wis., proclamation granting privileges of other ports to, V, 326.

Mineral Lands. (See *Lands, Mineral*.)

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Mines (see also *Lands, Mineral*):

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Minnesota.—One of the United States; nickname, "The Gopher State;" motto, "L'étoile du nord" ("The North Star"). It extends from lat. 43° 30' to 49° 25' north and from long. 89° 29' to 97° 5' west. It is bounded on the north by British America, on the east by Lake Superior and Wisconsin, on the south by Iowa, and on the west by the Dakotas. The chief industries are wheat growing, lumbering, and flour and grist milling, and in the products of this latter industry the State has the largest output in the country. The manufacture of lumber and timber products is a rapidly progressing industry. Minnesota is one of the leading wheat-producing States of the Union. The region was first explored by the French near the close of the seventeenth century, the first settlement being made at Duluth in 1678. In 1763 France ceded the territory east of the Mississippi to England, by whom it was ceded to the United States in 1783. It formed part of the Northwest Territory organized in 1787, and was successively included in the Territories of Indiana, Michigan, and Wisconsin. The lands west of the Mississippi formed part of the Louisiana Purchase, and were included successively in the Territories of Upper Louisiana, Arkansas, Missouri, and Iowa. Mar. 3, 1849, Congress passed an act creating Minnesota Territory. In 1851, 21,000,000 acres of land were acquired of the Dakotas by the treaty of Traverse de Sioux. May 11, 1858, Minnesota became a State. It has an area of 83,365 sq. miles and a population (1905) of 1,979,912.

Minnesota:

Admission of, into Union—

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Minnesota and Northwestern Railroad Co., suit instituted against, in name of United States referred to, V, 297.

Minnetaree Indians, treaty with, II, 347.

Mint.—By an act of Congress passed Apr. 2, 1792, the first United States mint was established at Philadelphia. The first machinery and first metal used were imported, and copper cents were coined the following year. In 1794 silver dollars were made, and the succeeding year gold eagles. In 1835 branch mints were established at New Orleans, La., at Charlotte, N. C., and at Dahlonega, Ga.; in 1852, at San Francisco, Cal.; in 1864, at Dallas City, Oreg., and in 1870 at Carson City, Nev. The mints at Charlotte and Dahlonega were suspended in 1861, that at Dallas in 1875, that at Carson City in 1885, and that at New Orleans from 1860 to 1879. Assay offices considered branches of the mint, were established at New York in 1854, Denver, Colo., in 1864, Boise City, Idaho, in 1872, and at other places at later dates. The mints, as at present (1906) established, are situated at Philadelphia, San Francisco and New Orleans; those at Carson City and Denver are equipped as Assay offices. (See also Coinage Laws.)

Mint:

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Seizure of, at New Orleans by authorities of Louisiana referred to, V, 668.

Mint, Director of, reports of, transmitted, I, 313, 315.

Minutemen.—At a session of the provincial congress of Massachusetts, Nov. 23, 1774, it was voted to enroll 12,000 minutemen. They were to be organized as militia and hold themselves ready for service at a minute's notice.

Miraflores Island referred to, X, 526.

Miramón, Miguel:

President of Mexico, election of, discussed, V, 564, 644.

Miramón, Miguel—Continued.

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Miranda Plot.—A joint scheme of citizens of the United States and Great Britain whereby, through the agitation of one Miranda, a citizen of Caracas, Venezuela, dissatisfaction was to be spread among the Spanish and French provinces. During the revolutions which it was hoped would ensue Great Britain was to obtain the West Indies and the United States Florida and Louisiana east of the Mississippi.

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Misdemeanors. (See Crimes and Misdemeanors.)

Mishouda, The, indemnification to captors of, recommended, I, 366.

Mission Commission, recommendations of, referred to, IX, 226.

Mission Indians:

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Commission to treat with, IX, 226.

Missionaries, American, treatment of, in Turkey discussed, VIII, 40, 505; IX, 440, 530, 637, 715.

Missionary Ridge, or Chattanooga (Tenn.), Battle of.—After retiring from Lookout Mountain Bragg's army concentrated on Missionary Ridge, across the Chattanooga Valley and southeast of the city. On the morning of Nov. 25, 1863, Sherman assailed the Confederate right wing at the extreme north end of the ridge. Hooker advanced from Lookout Mountain across the valley and attacked the left. The battle raged all day, but the Confederates held the position until late in the afternoon, when the center was weakened by withdrawals to support the left and right. It was then that Grant, watching the progress of the fight from Orchard Knob, ordered forward the Army of the Cumberland, under Thomas. Wood's and Sheridan's divisions charged the Confederate center. The brigades of Hazen and Willich were in advance. Darkness came on, when the Confederates retreated. Pursuit was stopped when the ridge was won. The Confederates lost more than 9,000, including 6,000 prisoners. Forty pieces of artillery and 7,000 stand of small arms fell into the hands of the victors. The Federal casualties in the Chattanooga campaign between Nov. 24 and Nov. 29, were 753 killed, 4,722 wounded, and 349 missing—a total of 5,824.

Missions Boundary Dispute, evidence presented to President of United States as arbitrator by Argentine Republic and Brazil, IX, 435.

Award of, discussed, IX, 626.

Mississippi.—One of the United States; nickname, "The Bayou State." It is named for the river of that name and extends from lat. 30° 10' to 35° north and from long. 88° 5' to 91° 40' west. It is bounded on the north by Tennessee, on the east by Alabama, on the south by the Gulf of Mexico and Louisiana, and on the west by Louisiana and Arkansas (separated by the Mississippi River). The chief industry is agriculture, cotton being the

principal product. The region was visited by De Soto in 1540, and a settlement was attempted by the French under Iberville at Biloxi in 1699. The territory was ceded by France to Great Britain in 1763. Part was ceded to the United States in 1783 and the remainder was acquired in 1803. The Territory of Mississippi was organized in 1798 and admitted as a State in 1817. It seceded Jan. 9, 1861, and was readmitted Feb. 17, 1870. The State has an area of 46,810 sq. miles and a population (1900) of 1,551,270; (1905) 1,750,000, estimated.

Mississippi (see also Confederate States):

Aaron Burr surrenders to officers in Territory of, I, 421.

Act endowing church in, vetoed, I, 490.

Act to authorize special term of circuit court of United States in, to be held in Scranton vetoed, VII, 488.

Citizens of Territory of, must be protected, I, 384.

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Consolidation of Territory of, discussed, I, 438.

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Mississippi River:

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Appropriation for, II, 199, 368; IV, 271.

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- Improvement of South Pass of, discussed, VII, 408, 572; VIII, 51.
- Levees of, preservation of, recommendations regarding, VI, 454; VIII, 95, 210.
- Mail route from California to, recommended, V, 461.
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- Plan for reclamation of alluvial basin of, subject to inundation, VII, 303, 318.
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- Surveys of mouth of, III, 281.
- Mississippi River Commission:**
 - Appropriation for protection of levees recommended by, VIII, 95, 210.
 - Report of, discussed, VIII, 197.
- Missouri.**—One of the United States; motto, "Salus populi suprema lex esto" ("Let the people's safety be the supreme law"). It takes its name from the Missouri River, which in turn is named after a tribe of Indians belonging to the Siouan family. The State is included between lat. 36° and 40° 30' north and long. 89° 2' and 95° 44' west. It is bounded on the north by Iowa, on the east by Illinois, Kentucky, and Tennessee (separated by the Mississippi), on the south by Arkansas, and on the west by the Indian Territory, Kansas, and Nebraska (separated in part by the Missouri River). Slaughtering and meat-packing are the most important industries, the manufacture of tobacco ranking second. The State has great mineral resources, especially iron, coal, and lead. Corn, wheat, and tobacco are raised extensively. The State is one of the first in the production of corn. There are also large manufacturing interests. The territory was first settled at St. Genevieve by the French in 1755, was ceded to Spain in 1763, ceded back to France in 1800, and was ceded by France to the United States in 1803, forming part of the Louisiana Purchase. Missouri Territory was formed in 1812 and admitted to the Union as a State in 1821. The State has an area of 69,415 sq. miles and a population (1905), 3,324,131.
- Missouri** (see also Springfield):
 - Admission of, into Union proclaimed, II, 95.
 - Bank of. (See Bank of Missouri.)
 - Boundaries of, extended, III, 274.
 - Boundary line with Iowa, dispute respecting, III, 558, 560, 571.
 - Defalcation of officers in, II, 375, 404.
 - Indian titles to lands in, extinguished, II, 200; III, 321.
 - Joint resolution placing troops of, on footing with others as to bounties, reasons for applying pocket veto to, VI, 535.
 - Judicial districts of, X, 551.
 - Lead mines in, II, 142, 365.
 - Military force to be raised by governor of, for suppression of rebellion in, VI, 40.
 - Order regarding, VI, 42.
 - Railroads in, to be made available for military uses of Government, VI, 116.

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Missouri, The, loss of, by fire referred to, IV, 269.

Aid rendered, by British authorities at Gibraltar, IV, 270.

Missouri Compromise.—An agreement relative to the question of slavery embodied in a bill passed by Congress Mar. 2, 1820, and in the act admitting Missouri, Feb. 28, 1821. Upon the introduction into Congress during the session of 1818-19 of a bill providing for the admission of Missouri as a State, but prohibiting slavery therein, the opposition on the part of the Southern members became violent and threatening, and after long and brilliant debates a compromise was effected, chiefly through the efforts of Henry Clay. Representative Tallmadge, of New York, in February, 1819, proposed an amendment declaring all children born after the admission of the State to be free. This was modified to make all children born slaves free at 25. The House passed the bill with this amendment, but the Senate refused to concur. Next year the bill passed the House again in the same form. The Senate voted to admit Maine provided Missouri was admitted as a slave State. The House rejected the proposal. Representative Thomas, of Illinois, proposed as a compromise the admission of Missouri as a slave State provided that in future slavery should be prohibited in all the territory forming part of the Louisiana Purchase north of 36° 30', the southern boundary of the new State. This was agreed to. On the question as to when the compromise was abandoned, whether before or at the passage of the Kansas-Nebraska bill in 1854, parties and sections have been divided. When Missouri's constitution was laid before Congress it was found that it contained clauses excluding free negroes from the State. The House therefor refused to admit Missouri. Clay effected a further compromise whereby Missouri agreed not to deprive of his rights any citizen of another State.

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Missouria Indians:

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Mitchell, George E., mentioned, II, 112.

Mitchell, John, agent for American prisoners of war at Halifax, Nova Scotia, I, 522.

Mizner, Lansing B., minister to Guatemala, action of, regarding seizure of Gen. Barundia, and subsequent recall of, discussed, IX, 109.

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Object of, misunderstood by Spain, I, 370.

Mobile and Dauphin Island Railroad and Harbor Co., act regarding grant of right to, to construct trestle between Cedar Point and Dauphin Island returned, IX, 349.

Mobile Bay (Ala.), Battle of.—Aug. 5, 1864, Rear-Admiral Farragut, lashed to the rigging of the flagship *Hartford*, passed the forts and obstructions at the entrance to Mobile Bay and captured the Confederate ram *Tennessee*. Mobile Bay was defended by Fort Gaines, on the eastern end of Dauphin Island, Fort Morgan, on the western extremity of Mobile Point, east of the channel, and Fort Powell, situated on a small island west of Dauphin. Forts Gaines and Morgan commanded the main channel, the former mounting 21 guns and the latter 48. In the bay were the iron-clad ram *Tennessee* and the gunboats *Gaines*, *Morgan*, and *Selma*, under the command of Admiral Buchanan. The *Tennessee* was built on the plan of the *Merrimac*. Her armament consisted of 6 rifles—2 pivots of 7½ inches bore and 4 6-inch broadsides. Obstructions and defenses of all kinds had been placed around the harbor and 30 torpedoes were strung across the channel. Farragut's fleet consisted of 14 wooden ships and 4 monitors. Gen. Gordon Granger had landed 4,000 Federal troops on Dauphin Island, in the rear of Fort Gaines, to cooperate with the fleet. The fleet got under way early in the morning and before 7 o'clock the engagement became general. The monitor *Tecumseh* fired the first shot, and shortly afterwards struck a torpedo and sunk, with her commander, Capt. Craven, and most of her crew. Within an hour the other vessels had passed the forts and met the gunboats and ram inside the harbor. After a severe contest the *Tennessee* surrendered at 10 o'clock. Farragut's loss was 165 killed and drowned (113 of whom went down on board the *Tecumseh*) and 170 wounded. The Confederate loss was 8 or 10 killed and wounded, and 170 surrendered. Of the other 3 Confederate vessels, the *Morgan* escaped up the bay, the *Gaines* was disabled, and the *Selma* was captured with her crew of 90 officers and men. The night after the battle Fort Powell was abandoned and blown up. Next day Fort Gaines was shelled by the *Chickasaw* and surrendered with 800 prisoners. Granger's troops were transferred to the rear of Fort Morgan. Aug. 22 it was bombarded and on the 23d it surrendered. With the defenses of Mobile there were taken 104 guns and 1,464 men. Operations against the city of Mobile were begun Mar. 20, 1865. Two forts protected the city after the passage into the harbor had been made. Apr. 4 these were bombarded. Four days later another bombardment was begun, followed in the evening by an assault. The outer works were carried during the night and preparations made to complete the conquest next day, but at 1 o'clock on the morning of Apr. 9 the garrison surrendered.

Mobile Point, Ala., fortifications at, recommended, II, 122.

Referred to, II, 126.

Mobile River:

Commerce passing through, obstructed by arbitrary duties and vexatious searches; armed resistance authorized, I, 384.

Modoc Indians.—A tribe of the Lutuamian family of Indians, which, with the Klamaths,

formerly occupied the region of the Klamath Lakes and Sprague River, Oreg., and extended southward into California. They began attacks on the whites as early as 1847. Hostilities continued until 1864, when they ceded their lands and agreed to go on a reservation. The Modocs became notorious through their conflict with the Government in 1872-73. They refused in 1872 to go to the Klamath Reservation, but instead took up strongly fortified positions in the lava beds near Fort Klamath, where in April, 1873, they murdered Gen. Canby and Commissioner Thomas, who had been sent to induce them to go to the reservation. War followed, and soon the Government troops compelled the Indians to surrender. Captain Jack, their leader, and 2 associates were executed and about 80 of his followers were removed to Indian Territory. The remainder, some 150, reside on the Klamath Reservation in Oregon.

Modoc Indians:

Correspondence during war with, referred to, VII, 261.

Treaty with, VI, 269.

Mohave-Apaché Indian Reservation, proclaimed, X, 635.

Mohave Indians.—A tribe of the Yuman Indians. They live along the Lower Colorado River, in Arizona. About a third of them are on reservation ground. They number in all some 2,000.

Mohawk, The, capture of the *Wildfire* with cargo of slaves, by, V, 593.

Mohawk Indians.—A tribe of the Iroquois family of Indians. The name is said to be derived from the Algonquian word "maqua" meaning bears. Early settlers found them occupying the territory now included in New York State, extending from the St. Lawrence River to the Delaware River watershed and from the Catskills to Lake Erie. Their villages were along the Mohawk River. They were known as one of the Five Nations, and were the first tribe of the region to obtain firearms. The Mohawks were allies of the English in their wars with the French and Americans. In 1784, under Brant, they retired to Upper Canada.

Mohawk Indians, treaty with, I, 265.

Mohegan Indians.—A tribe of the Algonquian family of Indians. They once lived chiefly on the Thames River, in Connecticut. The Mohegans claimed territory extending eastward into Massachusetts and Rhode Island. After the destruction of the Pequots, in 1637, they claimed the latter's lands. The death of King Philip, in 1676, left them the only important body of Indians in Southern New England. They finally became scattered, some joining the Brotherton Indians in New York. The Mohegans are often confounded with the Mohicans and called River Indians.

Mohican Indians.—A tribe of the Algonquian family of Indians. The name is interpreted both as "wolf" and "seaside people." When first known to the whites they occupied both banks of the Hudson River, extending from near Albany to Lake Champlain. They were a distinct tribe from the Mohegans of the Connecticut River. The two tribes are generally confounded under the name of River Indians. The Mohicans were friendly to the English during the

Mohican Indians—Continued.

French and British struggles for supremacy in America. They assisted the colonists during the Revolution. Afterwards some of them became citizens.

Mo-lal-la-las Indians, treaty with, V, 381.

Mo-lal Indians. (See Mo-lal-la-las Indians.)

Molina, Luis, mentioned, V, 577.

Molino del Rey (Mexico), Battle of.—When the fortifications of Contreras and Churubusco had been passed, Gen. Scott took up his headquarters at Tacubaya, the bishop's castle, overlooking the western approaches to the City of Mexico, and $2\frac{1}{4}$ miles distant. The first formidable obstruction was El Molino del Rey ("The King's Mill"). Gen. Worth's division of 3,100 men was detailed for attack upon this and its supporting fortification, Casa de Mata. These were stone buildings, strongly fortified and ably defended, the Mexicans contesting every foot of the ground. The attack was made on the morning of Sept. 8, 1847. After 2 hours' hard fighting the works were carried and the army of Santa Anna, 14,000 strong, driven back. The Mexican loss was 2,200, killed and wounded (among the former being Generals Valdez and Leon) and more than 800 prisoners, including 52 commissioned officers. The American loss was 116 (including 9 officers) killed and 665 (including 49 officers) wounded and 18 missing. The magazine of Casa de Mata was blown up, and Worth returned to Tacubaya.

Monaghan, James C., appointment of, X, 632.

Monahan, Thomas R., arrest and imprisonment of, by Mexican authorities, VIII, 265.

Monetary Commission, appointment of, discussed, X, 25.

Monetary Convention of Latin Union, Belgium declares its adhesion to, VIII, 372.

Monetary Union, American. (See International American Monetary Union.)

Money, Continental. (See Continental Money.)

Money Order System, discussed, II, 419; VIII, 52, 352, 792; IX, 321, 449, 539.

Money Orders, International, discussed, IX, 449, 539.

Money, Public. (See Revenue, Public.)

Monitor, The. (See Hampton Roads (Va.), Battle of.)

Monitor, The, engagement with the *Merrimac* discussed, VI, 112.

Monmouth (N. J.), Battle of.—An important conflict of the Revolutionary War, fought during the afternoon of June 28, 1778, at Wenrock Creek, Monmouth County, N. J. Gen. Washington in command of the Americans and Sir Henry Clinton commanding the British. June 18 Clinton left Philadelphia for New York with 11,000 men and a large supply train. Washington pursued him with about 20,000 men. After some preliminary skirmishing, in which the Americans, led by Gen. Charles Lee, second in command, retreated, a general battle occurred. The British were defeated and drew off under cover of night, leaving about 300 dead upon the field. The Americans lost 228, less than 70 of whom were killed. An incident of the battle was Washington's severe reprimand of Gen. Charles Lee, which resulted in the latter's final dismissal. Lee had opposed bringing on the battle, but when his advice was rejected in the council of war

asked and obtained the right to lead off in the engagement.

Monocacy (Md.), Battle of.—Gen. Hunter succeeded Gen. Sigel in command of the Federal forces in the Shenandoah Valley in June, 1864. Gen. Early was detached from Lee's army at Richmond and sent to reinforce Gen. Breckenridge, who commanded the Confederate forces in the valley. Hunter retired westward across the mountains, leaving Washington unprotected. Lee thereupon reinforced Early, increasing his strength to 20,000, and ordered him to threaten Washington, in the hope of compelling Grant to withdraw some of the troops before Richmond and Petersburg. The Sixth Corps, under Wright, was sent to defend Washington, with the Nineteenth Corps, which arrived from Hampton Roads. July 6 Early reached Hagerstown and moved a strong column toward Frederick, whereupon Gen. Lew Wallace advanced from Baltimore with a force of 6,000 men. He encountered Early on the 9th at Monocacy, Md., and for 8 hours resisted his advance, but was finally defeated, with a loss of 98 killed, 579 wounded, and 1,282 missing. The Confederate loss was stated by Gen. Early at from 600 to 700, including the cavalry.

Monopolies, evils of trusts and, discussed and recommendations regarding, VIII, 773; IX, 43, 744.

Monroe, James (fifth President United States):

Accounts and claims of, discussed by, II, 277. Referred to, II, 323.

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Finances discussed by, II, 15, 44, 60, 77, 106, 187, 192, 211, 216, 253.

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France, nomination of, I, 156.

Negotiate treaty with Spain, nomination of, I, 351.

Settle differences with Great Britain, nomination of, I, 402.

Monroe doctrine. (See Monroe Doctrine.) Oath of office, notifies Congress of time and place of taking, II, 4.

Portrait of, II, 2.

Power of legislation in District of Columbia should be taken from Congress and vested in people, II, 47.

Powers of Federal and State Governments discussed by, II, 18, 142, 144.

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 - France, II, 183.
 - Hamburg, II, 38.
 - Lubeck, II, 73.
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 - Extraordinary session of Senate, II, 287.
 - Importation of plaster of paris, restrictions on, removed, II, 34, 36.
 - Lands, sale of, II, 11.
 - Ports opened to vessels of Great Britain, II, 184.
 - Reward for murderer of William Seaver, II, 94.
 - Reduction in peace establishment discussed by, II, 129.
 - Request of House for documents concerning public officers refused by, II, 278.
 - Secretary of State, I, 491.
 - South American Provinces, message of, regarding independence of, II, 116.
 - State of the Union discussed by, II, 54, 73, 98, 207, 222, 248.
 - Tariff discussed by, II, 106, 191, 215.
 - Veto message of, regarding repair of Cumberland road, II, 142.
- Monroe, Joel D.**, act for relief of, vetoed, VIII, 434.

Monroe Doctrine.—After the overthrow of Napoleon, France, Russia, Prussia, and Austria formed the so-called Holy Alliance in September, 1815, for the suppression of revolutions within each others' dominions and for perpetuating peace. The Spanish colonies in America having revolted, it was rumored that this alliance contemplated their subjugation, although the United States had acknowledged their independence. George Canning, English secretary of state, proposed that England and America unite to oppose such intervention. On consultation with Jefferson, Madison, John Quincy Adams, and Calhoun, Monroe, in his annual message to Congress in 1823 (II, 218), embodied the conclusions of these deliberations in what has since been known as the Monroe doctrine. Referring to the threatened intervention of the powers, the message declares: "We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States." The promulgation of this doctrine is accredited to Mr. Monroe, but Jan. 3, 1811, the principle was substantially enunciated by Mr. Madison. In a message to Congress of that date (I, 488), while discussing a threat of Great Britain to take possession of a por-

tion of Florida claimed by Spain, he used these words: "I recommend to the consideration of Congress the seasonableness of a declaration that the United States could not see, without serious inquietude, any part of a neighboring territory in which they have in different respects so deep and so just a concern pass from the hands of Spain into those of any other foreign power." The practical application of this doctrine goes no further than to place the United States in opposition to any possible attempt of any European power to subjugate or take possession in whole or in part of any American country. The principle involved was clearly set forth by Secretary of State Richard Olney in his dispatch of July 20, 1895, on the Venezuelan Boundary dispute. He stated that the Monroe doctrine "does not establish any general protectorate by the United States over other American States. It does not relieve any American State from its obligations as fixed by international law, nor prevent any European power directly interested from enforcing such obligations or from inflicting merited punishment for the breach of them." This interpretation of the Monroe doctrine has been upheld in the most emphatic manner by President Roosevelt in many of his public speeches and his messages to Congress in which he states that any well-merited punishment inflicted by a European power upon an American State does not violate the Monroe doctrine, provided that such punishment does not involve any occupation, either permanent or temporary, of American territory.

Monroe Doctrine, II, 218. (See also I, 488; II, 260.)

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A guarantee of peace, XI, 1152.

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Referred to; II, 341.

Territorial aggression by U. S. not covered by, XI, 1153.

Monson, Sir Edmund, award of, as arbitrator in claim of Carlos Butterfield & Co. against Denmark, IX, 110.

Montana.—One of the United States; motto, "Oro y plata" ("Gold and silver"). It is included between lat. 45° and 49° north and long. 104° and 116° west. It is bounded on the north by British America, on the east by the Dakotas, on the south by Wyoming and Idaho, and on the west by Idaho. Gold, silver, and copper are extensively mined and stock raising is an important occupation. Montana was first entered in 1743 by the Chevalier de la Verendrye who discovered the Rocky Mountains, but no attempt was made at a settlement. Montana formed part of the Louisiana Purchase, and the greater part of it was included in the Nebraska Territory. Montana Territory was organized in 1864 and admitted as a State in 1889. It has an area of 146,080 sq. miles and a population (1905) of 265,000.

Montana:

Act—

Erecting Territory of, into surveying district, etc., vetoed, VI, 426.

Granting right of way to railroads through Indian reservations in, vetoed, VIII, 472.

Admission of, into Union proclaimed, IX, 24.

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Set apart as public reservation by proclamation, IX, 781, 790, 795; X, 509, 511, 515, 597, 611 719, 744, 871; XI, 909, 935, 942, 1081, 1093, 1112, 1116.

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Unlawful combinations in, proclamation against, IX, 500.

Montano, Esteban G., appropriation for claim of, recommended, VII, 59.**Montauk Point, Long Island**, lands lying on, referred to I, 137.

Montenegro.—A principality in southeastern Europe fronting on to the Adriatic and bounded by Austria on the west and by Turkey on the north and east. Agriculture of the most primitive kind forms the staple industry of its people, grain, grapes, olives, and figs are the chief products; deposits of iron ore are found near the Adriatic coast and are worked by Italian capital. The people are of Slavonic origin and belong to the Greek orthodox church. The government is nominally a limited monarchy administered by a Prince and a council of 8 members, but in fact the Prince is an absolute ruler. In 1697 Montenegro was liberated from Turkish rule by Danilo Petrovich who was elected Vladika or prince-bishop, the succession descending collaterally in his family. In 1851 Danilo I abandoned the title of Vladika and also its spiritual functions, taking the title of Gospodar or Prince. The area is 3,630 sq. miles having a population of about 228,000, of whom 13,840 are Mohammedans.

Monterey (Mexico), Battle of.—The Mexican army under Arista, driven across the Rio Grande, took refuge in Matamoros. Taylor, receiving reinforcements, demanded the surrender of that city. Arista, unable to hold the place, abandoned it and retreated to Monterey, 180 miles from the Rio Grande and 700 miles from the City of Mexico. Aug. 18, 1846, Taylor, with a force of 6,600 men, began the long march toward Monterey, on the way to the enemy's capital, having established a depot for supplies at Camargo, at the head of steam navigation of the Rio Grande. Sept. 10 the American army encamped in sight of Monterey, in the beautiful valley of San Juan, almost encircled by the Sierra Madre Mountains. The city is the capital of the Province of Nueva Leon and the seat of the Catholic bishop of the diocese. It was strongly fortified and garrisoned by 10,000 men, mostly regulars, under Gen. Ampudia. The attack was begun by the Americans on Sept. 21 and on the following morning the bishop's palace was taken by assault. The city was then forced, the Mexicans stubbornly retreating from square to square. The fighting continued during the 22d and 23d, and on the morning of the 24th of September an armistice was agreed upon. Gen. Ampudia surrendered the place and was allowed to retire with his army. The American loss was slight.

Monterey, Mexico, battle of, referred to, IV, 492.

Montezuma Forest Reserve, proclaimed, XI, 1023.

Montgomery, Alexander, member of legislative council for Mississippi Territory, nomination of, I, 457.

Montgomery, Hugh, mentioned, II, 421.

Montgomery, Mary Ann, act granting pension to, vetoed, VII, 172.

Montgomery, William, brigadier-general, nomination of, referred to, II, 531.

Montgomery, William R., court-martial in case of, referred to, V, 360.

Montgomery, Ala., government of Confederate States first located at, VI, 24.

Transferred to Richmond, Va., VI, 24.

Montijo, The, seizure and detention of, by United States of Colombia, VII, 335.

Claims arising out of, paid, VII, 404.

Montreal (Canada), Capture and Loss of.—After the taking of Ticonderoga and Crown Point, Ethan Allen, Philip Schuyler, Benedict Arnold, and other Americans were anxious to invade Canada and secure the cooperation of the Canadians with the colonists. In June, 1775, the Continental Congress gave Gen. Schuyler discretionary power to proceed against Montreal. He sent Gen. Montgomery with 3,000 men down Lake Champlain. Gen. Carleton, with 500 British, was forced to surrender on the 13th of November. Eleven vessels also fell into Montgomery's hands. Carleton escaped to Quebec. Benedict Arnold, with 1,200 men, had been ordered to proceed by way of the Kennebec and Chaudière rivers and cooperate with Montgomery before Quebec. The expedition to the latter city proved disastrous. Three brigades of infantry, besides artillery, stores, and ammunition, having arrived from England, the Americans were forced to retire to Lake Champlain. (See also Quebec (Canada), Battle of.)

Montt, Jorge, President of Chile, mentioned, IX, 184. (See also *Baltimore*, The.)

Monuments. (See *Statues and Monuments*.)

Mooney, James, seizure of Vicenzo Rebello by, in New Orleans, La., VIII, 66.

Moore, Alfred, commissioner to treat with Indians, nomination of, I, 260.

Moore, John B., Acting Secretary of State, X, 256.

Moore, Thomas, commissioner for Cumberland road, I, 418.

Moore, Thomas P., minister to Colombia, judgment and discretion of, discussed, II, 467.

Mora, Antonio M., claim of, against Spain, IX, 242, 478, 530, 557, 566.

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Morales, Don John Bonaventure, authority to dispose of lands of Spain in Louisiana referred to, II, 82.

Morehead, Abner, act to restore name of, to pension roll vetoed, VIII, 461.

Moren, Fernando J., mentioned, V, 593, 595.

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Morgan, Edwin D., mentioned, VI, 78.

Morgan, George D., mentioned, VI, 78.

Morgan, John T.:

Argument of, in Senate on canal construction referred to, IX, 189.

Member of commission to Hawaiian Islands, X, 108.

Morgan, Thomas P., Jr., act for relief of, reasons for applying pocket veto to, VIII, 486,

Morgan's Raid.—In the summer of 1863 the Confederate General Buckner was in East Tennessee, near the borders of Kentucky, preparing for an expedition against Louisville. Gen. John H. Morgan was sent ahead with 2,460 cavalry to pave the way. He crossed the Cumberland River, and, having been joined by about 1,000 Kentuckians, passed over the Ohio River into Indiana. The advance of Rosecrans's army prevented Buckner from joining him. Morgan rode through southern Indiana toward Cincinnati, burning bridges, tearing up railroads, and fighting home guards. The whole State of Ohio became alarmed, and a strong Union force was soon in pursuit. Others were advancing upon his flanks, and gunboats were patrolling the Ohio River to prevent his recrossing into Kentucky. Passing around Cincinnati, he reached the river at Buffington Ford July 19. After a severe battle with various installments of Federal troops which had hotly pursued him, about 800 of the command surrendered, but Morgan, with the remainder, proceeded up the river to Belleville. About 300 succeeded in crossing the river here before the arrival of the gunboats. Many were drowned or shot in attempting to cross, and Morgan, with about 200 of his men, retreated farther up the river to New Lisbon, where he was surrounded and forced to surrender. In his raid Morgan traveled about 350 miles through Indiana and Ohio, making sometimes 50 miles a day. The amount of property destroyed scarcely exceeded \$50,000. More than 2,000 of his men were killed or captured. Morgan and some of his officers were sent to Columbus and confined in the penitentiary, from which he and 6 others escaped. Immediately after his escape he planned another raid into the Union lines in Tennessee, but was surrounded and killed by Union troops under Gen. Gillem, near Greenville, Tenn.

Morhiser, William H., act for relief of, vetoed, VIII, 563.

Mormon Church (see also Polygamy):

Commissioners appointed under act in reference to bigamy, etc., referred to, VIII, 91, 144, 184, 214, 250, 361.

Letter of president of, advising Mormons to refrain from contracting marriage forbidden by law, IX, 118, 368, 510.

Suit instituted by Government for termination of, discussed, VIII, 794.

Mormons.—A religious sect calling themselves the "Church of Jesus Christ of Latter-Day Saints." They came into political prominence because of their practice and advocacy of polygamy. The sect was founded by Joseph Smith in 1830 on what they claim to have been a divine revelation. They organized first in New York and Vermont and later in Missouri and Illinois. Finally, about 1847, they settled at Salt Lake City, Utah. Their defiance and resistance of law caused many difficulties between them and the authorities. Their first armed resistance to Federal authority was in 1857. Special laws bearing upon the Mormons were passed by Congress in 1862, 1882, and 1887. The Supreme Court of the United States upheld these laws which forbade polygamy and provided for its punishment by heavy fines and imprisonment, discontinued the church and its societies, and confiscated their property. In 1898, Brigham

Henry Roberts was nominated for Congress by the Democratic party in the State of Utah and was elected, but owing to a charge that he was still living in polygamy he was not allowed to take his seat. In 1903 Reed Smoot, a Republican and a banker of Provo City, Utah was elected to the Senate; an agitation was immediately set on foot to unseat him, on the ground that, being an official of the Mormon church, he countenanced polygamy. The agitation however was unsuccessful. (See Utah.)

Mormans, laws to prevent importation of, recommended, VIII, 362.

Morning Light, The, seizure of the *Jorgen Lorentzen* by, VI, 70.

Morocco.—A country in northwestern Africa. It is bounded on the north by the Mediterranean Sea, on the east by Algeria, on the south by the Sahara, and on the west by the Atlantic Ocean. The Atlas Mountains traverse the country from west to east. Its government is administered by a Sultan, who is a direct descendant of Ali, son-in-law of Mohamed. During recent years, many rebellions have occurred, the cause of the discontent being the progressive character of the Sultan and objection to his foreign advisers. It is certain that Morocco will ultimately pass under the control of a European power, probably France. According to the latest estimates the area of the country is about 219,000 sq. miles, with a population, mainly Mohammedans, of about 5,000,000.

Morocco:

Consuls of United States in, I, 177.

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Morrill, Ashley C., treaty at the Old Crossing of Red Lake River, Minnesota, with the chiefs of the Red Lake and Pembina bands of Chippewa Indians (1864), concluded by, VI, 196.

Morris, Edward J., mentioned, VI, 71.

Morris, George W., thanks of Congress to, recommended, VI, 144.

Morris, Gouverneur:

Minister to France, recall of, requested, I, 155.

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Treaty with Great Britain, appointed to conclude, I, 96.

Morris, Henry, thanks of Congress to, recommended, VI, 76.

Morris, Lewis R., United States Marshal, nomination of, I, 99.

- Morris, The**, referred to, II, 467; IV, 263, 320, 353.
- Morse, Freeman H.**, report of, on foreign maritime commerce of United States, etc., transmitted, VI, 633.
- Morton, Joel B.**, act for relief of, vetoed, VIII, 681.
- Morton, J. Sterling**, death of, X, 523.
- Morton, Oliver P.**, death of, announced and honors to be paid memory of, VII, 458.
- Mosquito Indian Strip:**
 American citizens in—
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- Mosquito Indians**, correspondence regarding territory claimed by, referred to, V, 186, 361.
- Mosquitos, Kingdom of.** (See Mosquito Indian Strip.)
- Motley, John L.:**
 Mentioned, VII, 60.
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 Conversations and opinions of, referred to, VI, 466.
 Removal of, referred to, VI, 582.
 Resignation of, referred to, VI, 463.
 Great Britain, recall of, referred to, VII, 116.
- Mound Builders.**—A prehistoric race of Americans who inhabited the valleys of the Ohio and Mississippi rivers. They are so named because the only traces of their existence are found in mounds of earth formed in regular geometrical shapes containing ashes, stone, and bronze implements and weapons. Some of these mounds seem to have been simply places of sepulture, while others show unmistakable evidences of having been erected as fortifications. The race probably became extinct only a few generations before the discovery of America, as De Soto found tribes of Southern Indians who built mounds and possessed other characteristics of the extinct race. They belonged distinctly to the Indian race and to the Stone Age. The mounds range from 2 or 3 feet in height to 132 feet high and 188 feet long, the latter being the dimensions of one at Marietta, Ohio, while one at Grave Creek, W. Va., measures 70 feet in height and 900 feet in circumference.
- Mount Rainier Forest Reserve**, Wash., establishment of, by proclamation, IX, 777.
- Mountain Meadow (Utah) Massacre.**—Efforts of the Federal Government to enforce the laws against polygamy incited the Mormons to bitter hatred of all opposed to their religion. Brigham Young made threats of turning the Indians loose upon west-bound immigrants unless what he considered the Mormons' rights were respected. Sept. 7, 1857, about 30 miles southwest of Cedar City, a body of about 120 non-Mormon immigrants were attacked by Indians and Mormons under the leadership of John D. Lee, and after a siege of 4 days were induced to surrender under promise of protection, but all were massacred except 17 children under 7 years of age.
- Mountain Meadow Massacre** referred to, V, 592.
- Mowatt, Caroline D.**, act granting pension to, vetoed, IX, 673.
- Mudd, Samuel A.**, implicated in assassination of President Lincoln, proceedings of trial and verdict of military commission, VI, 334, 335, 336, 342, 347, 348.
- Mugwump.**—A corruption of the Algonquian Indian word "mugquomp," which signifies a chief, ruler, or a person of importance. After long use in local politics the word came into national use in the Presidential campaign of 1884. The newspapers applied the term to those Republicans who refused to support James G. Blaine, the regular party nominee, and it has since been used to designate any person of independent politics or who is supposed to be lacking in loyalty to his political party.
- Mulvihill, Thomas**, petition of, for repossession of lands conveyed to United States by, VIII, 152.
 Referred to, VIII, 191.
- Mumfordsville (Ky.), Battle of.**—Here on Sept. 17, 1862, the Confederate army under Gen. Bragg attacked the Federals under Gen. J. T. Wilder. The post surrendered to the Confederates, the number of captured being about 4,000.
- Munich, Bavaria**, Third International Exhibition of Fine Arts to be held at, VIII, 608.
- Munitions of War.** (See Arms and Ammunition.)
- Munn vs. Illinois.**—One of the "elevator cases" decided by the Supreme Court of the United States. In 1872 Munn and another were found guilty of violating an article of the Illinois constitution in regard to grain warehouses. They had failed to take out a license and give bond and were charging higher rates for storage than the law allowed. The offenders were fined, and the supreme court of the State affirmed the action of the criminal court. The case was then appealed to the United States Supreme Court. That body affirmed the judgment on the ground that the act of the Illinois legislature was not repugnant to the Constitution of the United States, and that a State could lawfully determine how a man might use his own property when the good of other citizens was involved.
- Munsee Indians**, treaty with, I, 390, 397; III, 277, 429, 466, 556; V, 363; VI, 518, 637, 702.
- Murat, Joachim**, commerce of United States, depredations committed on, by, III, 50.
- Murfreesboro (Tenn.), Battle of**, fought December 31, 1862, and January 2, 1863, between forces of General Rosecrans and General Bragg. (See Stone River (Tenn.), Battle of.)
- Murray, William Vans**, minister to France, nomination of, I, 282, 284.
- Murrell, Mr.**, mentioned, I, 417.
- Muscat:**
 Presents offered President Van Buren by Imaum of, declined, III, 592.
 Offered United States, recommendations regarding, III, 592; IV, 316.
 Treaty with, III, 53, 238, 376; VIII, 610.

Muscle Shoals, Ala., mentioned, X, 595.
Museum, National, appropriation for, recommended, VII, 479, 506.
Muskogee Indians. (See Creek Indians.)

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Nairne, John, vessel under, ordered from and forbidden to reenter waters of United States, I, 403.
Naples (see also Italy):
 Claims against, by—
 Merchants of United States, II, 29, 549.
 United States, I, 571; II, 29, 301, 546, 549, 594.
 Extension of time allowed commissioners for settlement of, recommended, III, 48.
 Minister of United States to, I, 572.
 Treaty with, referred to, II, 632.
Narraganset Indians.—A tribe of the Algonquian family of Indians which originally occupied a part of Rhode Island. They were friendly toward the early colonists, their wars being waged mostly against other tribes. Canonicus, their principal chief, gave Roger Williams a large tract of land and otherwise befriended him. Canonicus died in 1647, and King Philip, of the Pequots, induced the Narragansets to join him in a raid on the white settlements in violation of their treaty. King Philip and his allies, having ravaged the valley of the Connecticut in 1675 and 1676, returned to the land of the Narragansets, where the women and children of the tribes had been quartered and where supplies for the winter had been collected. They were surrounded by the whites and their villages were burned. Many of the Indians perished in the flames. Canonchet, the last chief of the Narragansets, was captured and killed. The few surviving Narragansets intermarried with the colonists and became civilized.
Nash, Thomas, was charged with murder and piracy on the British frigate *Hermione*. He was surrendered to Great Britain, 1799.
Nashville Convention.—The Mississippi State convention of 1849 suggested to other Southern States the feasibility of holding conventions to make some public expression on the slavery question and the encroachments of Northern antislavery men. Accordingly a convention was called in Nashville, Tenn., in June, 1850, composed of delegates from all the Southern States. The Wilmot Proviso and the Missouri Compromise were disapproved of by this meeting. Delegates from Texas, Mississippi, and South Carolina advocated open resistance to Federal authority, but more conservative action prevailed. The convention met again in November, but only moderate resolutions were passed.
Nashville (Tenn.), Battle of.—After the battle of Franklin, Nov. 30, 1864, Gen. Schofield retreated to Nashville, closely followed by Hood, who formed his lines near that city Dec. 4. Reinforcements were sent to Thomas at Nashville, swelling his forces to 56,000 men. Dec. 15 Thomas's army advanced against Hood. The day was consumed in maneuvering and skirmishing. There were not many killed or wounded, but

the results of the day's operations were the driving of the Confederates from every position held by them and the capture of 16 guns, 1,200 prisoners, 40 wagons, and several hundred stand of small arms. The Union forces bivouacked on the field and renewed the attack the next morning. By 4 o'clock in the afternoon the Confederates were in retreat toward Franklin. They were pursued until Dec. 28, when Hood crossed the Tennessee with the remnants of his army. The loss in killed and wounded was comparatively light, but 53 guns and 4,875 Confederate prisoners were captured.

Nashville, The, mentioned, X, 583, 584, 585, 586, 687, 688, 690.

Nassau, Duchy of:
 Convention with, IV, 453.
 Exequatur issued consul of, revoked; VI, 511.

Natchez:
 Commissioners of United States assemble in, I, 194, 200, 246.

Government in, establishment of, recommended, I, 246.

Natchez, The. (See *General Urrea*, The.)

National Academy of Sciences.—The National Academy of Sciences was incorporated under an act of Congress approved Mar. 3, 1863. It was self-created and retains autonomous powers, but derives national character from the provision in the article of incorporation that "the academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art, the actual expense of such investigations, examinations, experiments, and reports to be paid from appropriations which may be made for the purpose; but the academy shall receive no compensation whatever for any services to the Government of the United States." The first meeting was held Apr. 22, 1863 and Alexander D. Bache was elected president. Originally the membership was limited to 50. This limit was removed in 1870, but the policy remained exclusive, election being regarded as a dignity conferred in recognition of special scientific work and only five names are considered for each years election. A stated session is held annually in Washington on the third Tuesday in April, and another is commonly held elsewhere during each autumn. The membership (at present 96 members and 43 foreign associates) comprises many of the leading scientific specialists of the United States who are grouped into committees on (1) mathematics and astronomy, (2) physics and engineering, (3) chemistry, (4) geology and paleontology, (5) biology and (6) anthropology. There are in addition a number of foreign associates distinguished for scientific attainment. The president is elected for a term of six years, the present holder of the office being Professor Alexander Agassiz of Harvard. The academy holds funds in trust, to be applied in aid of scientific investigations or in medals or other prizes for scientific work.

National Academy of Sciences, commission from membership of, to formulate plans for forestry system, IX, 735.

National-Bank Circulation:

Act to fix amount of United States notes and, vetoed, VII, 268.

National Bank Circulation—Continued.

Discussed by President—

Arthur, VIII, 133, 179, 245.

Cleveland, VIII, 341; IX, 444, 534, 554, 642, 725, 743.

Harrison, Benj., IX, 39.

Johnson, VI, 365, 571.

National-Bank Examiners, reports of, referred to, VIII, 68.

National Banks. (See Banks, National.)

National Board of Health.—By act of Congress approved Mar. 3, 1879, a National Board of Health was established, consisting of 7 civilian physicians, 1 army surgeon, 1 navy surgeon, 1 surgeon of the Marine-Hospital Service, and 1 officer of the Department of Justice. This board was abolished by law. A national quarantine law was passed June 3, 1879.

National Board of Health:

Establishment of—

Discussed, VIII, 44.

Recommended, IX, 551.

Report of, transmitted, VIII, 270, 387.

National Cemeteries.—The army appropriation bill for 1850 contained a clause setting aside \$10,000 to purchase a lot near the City of Mexico for the interment of United States soldiers who fell near that place during the Mexican War. Since the Civil War Congress has established 82 cemeteries within the United States. They are mostly in the South, as most of the soldiers fell in that region. Of these cemeteries 11 contain more than 10,000 graves and nearly as many between 5,000 and 10,000. In all there are 322,851 graves, each marked with a marble headstone. The name and rank of each occupant is chiseled on the headstone when known. The 10 largest are at Andersonville, Ga.; Arlington, Va.; Chalmette, La.; Chattanooga, Tenn.; Fredericksburg, Va.; Jefferson Barracks, Mo.; Marietta, Ga.; Memphis, Tenn.; Nashville, Tenn., and Vicksburg, Miss. The national cemetery at Gettysburg, Pa., while one of the smallest, is peculiarly interesting from its having been dedicated by President Lincoln in 1863. It abounds in numerous memorials of the departed soldiers, including a national monument. It has been the scene of a reunion of the survivors of the great battle fought there July 1-3, 1863. The Government assumed charge of it in 1872.

National Cemeteries:

Establishment of, and number of Union soldiers buried in, discussed, VI, 451.

Government employees to be permitted to participate in ceremonies at, VI, 664; VII, 166, 183, 230, 283, 328, 398, 450, 491, 556, 600; VIII, 13, 125, 166, 231, 314, 493, 705; IX, 28, 105, 174, 400, 517, 614.

National Conference of Electricians at Philadelphia referred to, VIII, 371.

National Foundry, erection of, recommended, III, 390, 497.

National Guard.—The enrolled militia of some of the States is known collectively as the National Guard. In 1891 the enrolled National Guards in the militia of the various States included 92,203 infantry, 4,554 cavalry, 5,224 artillery, and 9,311 commissioned officers—a total of 111,292.

National Guard (see also Militia):

Encampment of, in coast works recommended, IX, 41.

Encouragement of, recommended, IX, 115.

Field maneuvers for, recommended, X, 835.

Reorganization of, recommended, X, 448, 657.

National Intelligencer, publication in, of proceedings of President and Cabinet respecting interpretation of reconstruction acts discussed, VI, 527.

National Museum.—An institution established at Washington by successive acts of Congress in 1877 and later years, to take charge of all Government collections in natural history, ethnology, etc., and to exhibit the same in a building erected by Congress in 1889. The Secretary of the Smithsonian Institution is the Keeper of the National Museum.

National Museum, appropriation for, recommended, VII, 479, 506.

Referred to, X, 452.

National Parks.—Congress has on several occasions set aside and exempted from sale certain territory because of its picturesque character or historic interest. The principal tracts thus appropriated to the use of all the people up to the present time are the Yellowstone National Park and the Yosemite National Park, which was made a national park by act of Congress passed June 30, 1864, and ordered to include the Mariposa Big Tree Grove. This park was granted by Congress to the State of California, conditional upon its being forever set aside as a place of public resort and recreation. It is about 155 miles from San Francisco, is 6 miles long by about a mile in width, and its perpendicular depth below the surrounding country is about a mile, though it lies 4,000 feet above the level of the sea. Yellowstone Park was created by an act approved Mar. 1, 1872, which dedicated it as a pleasure ground for the benefit and enjoyment of the people. The area of the reservation is about 3,312 sq. miles, lying in Idaho, Montana, and Wyoming. Its general elevation is about 6,000 feet, though mountains 10,000 and 12,000 feet high rise on every side. The region abounds in scenery of unparalleled grandeur. Tall columns of basalt rise to 1,000 feet in height; waters of different degrees of temperature and of untold therapeutic properties are met on every hand; acres of miniature volcanoes sputter and fume; giant geysers intermittently spurt columns of hot water and steam hundreds of feet into the air from basins of all sizes and most fantastic shapes and vivid colorings, while the Gardner River plunges through a forbidding black hole into the Grand Canyon, whose precipitous walls of 2,000 feet in height have never been explored, and emerges, with an abrupt descent of 350 feet, to pursue its tranquil course over a fertile rolling prairie. In 1890 three sections of land in Tulare County, Cal., containing giant trees, were reserved for a national park. In 1890 Congress provided for a park of 1,500 acres on Rock Creek, District of Columbia, half the cost (\$1,200,000) being paid by the people of Washington and half by the United States. Later Congress reserved the battle grounds of Chickamauga, Shiloh, Vicksburg, and others as public parks. The total area of the National Parks amounts to 3,654,196 acres.

National Parks. (See Chickamauga and Chattanooga National Military Park.)

National Prison Congress at Baltimore referred to, VII, 208. (See also International Prison Congress.)

National Republican Party.—After the defeat of John Quincy Adams by Jackson in 1828 the broad-construction wing of the Democratic-Republican party organized and came out with a platform directly opposed to Jackson on the question of the tariff and the United States Bank. They opposed the spoils system in the public service, favored internal improvements at national expense, a bank of the United States, and the division of the proceeds of land sales among the States. In 1832 they supported Henry Clay for the Presidency and advocated a protective tariff. Clay was defeated, and in 1835 the party, reinforced by other elements, took the name of Whig.

National University.—Washington strongly disapproved of foreign education for American youth and early conceived the idea of establishing a national university in the central part of the United States. He bequeathed 50 shares of the Potomac Company toward the endowment of such an institution in the District of Columbia, but ultimately the stock of the company proved valueless. Several of the Presidents from time to time in their messages recommended the establishment of a national university or universities, or, as they sometimes called them, "seminaries of learning."

National University (see also Education; Seminaries of learning):

Establishment of, recommended, I, 66, 202, 205, 410, 485, 568; II, 312; VII, 254.

Lands, donation of, to, recommended, I, 410, 485; VII, 254.

National Zoological Park, referred to, X, 452.

Nationality.—Federal and not State law determines the status of the nationality of persons in the United States. Until the adoption of the Fourteenth Amendment, the Constitution established no rules regarding the loss or acquisition of nationality. Birth in the country is, as a rule, the test, but not all persons born in the United States are considered as endowed with nationality. The naturalization act of 1790 extended nationality to children born to American parents beyond the sea. In 1855 an act was passed restricting this to children whose fathers were citizens. The civil-rights act (q. v.) of 1866 declared "all persons born in the United States and not subject to any foreign power" to be citizens of the United States. The Fourteenth Amendment defines citizens as "all persons born or naturalized in the United States and subject to the jurisdiction thereof." The citizens of Hawaii became citizens of the United States by virtue of annexation, it being so stated in the act of Congress of 1900 which made Hawaii a Territory. The inhabitants of the Philippine Islands, and Puerto Rico are entitled to the protection of the Constitution but cannot enjoy the privileges of citizenship until Congress admits their countries to the Union as States or organizes them as Territories.

Nations, Congress of. (See under Panama, Isthmus of.)

Nations, Foreign. (See Powers, Foreign; the several powers.)

Naturalization.—The investment of an alien with the rights and privileges of citizenship.

Section 8 of Article I of the Constitution empowered Congress "to establish a uniform rule of naturalization." Naturalization laws were passed by the colonial legislatures of Maryland, Virginia, New York, South Carolina, and Massachusetts between 1666 and 1715. In 1740 the British Parliament enacted a law regulating colonial naturalization. In 1790 Congress legislated for the first time so as to provide for uniformity of naturalization under the Constitution. The conditions of this law were that any free white alien might be admitted to citizenship by any court of record of the State in which he has resided for 1 year, having been a resident of the United States 2 years. An act of 1795 required 5 years' residence and application 3 years prior to naturalization; that of 1798 required 14 years' residence and application 5 years prior to naturalization. The act of Apr. 14, 1802, restored the conditions of the act of 1795 and required a proof of 5 years' residence in the United States and 1 in the State, good character, an oath of allegiance, and a renunciation of titles and prior allegiance. No alien may be naturalized if his country is at war with the United States. Conditions and procedure in naturalizing an alien are prescribed by sections 2163-2174 of the Revised Statutes of the United States. Naturalization of Chinese is prohibited by section 14, chapter 126, laws of 1882; and of anarchists by the immigration act of 1903. Naturalized citizens of the United States receive the same protection when abroad as native-born citizens. (See also Expatriation.)

Naturalization:

Act on subject of uniform rule of, vetoed, I, 523.

Discussed by President—

Adams, John, I, 258.

Arthur, VIII, 128, 241.

Buchanan, V, 640.

Cleveland, VIII, 336, 505, 781, 785.

Grant, VII, 36, 239, 291, 345, 405.

Harrison, Benj., IX, 37, 43, 116.

Jefferson, I, 331.

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Madison, I, 523, 574.

Washington, I, 66.

Frauds in, discussed, VII, 291, 345, 405; X, 824.

Questions regarding, with—

Germany, VII, 467, 568; VIII, 38, 331, 499;

IX, 36, 437.

Russia, IX, 529.

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Turkey, VIII, 335, 504; IX, 440, 530; X, 112.

Treaty regarding, with—

Austria-Hungary, VII, 115, 144, 188.

Bavaria, VI, 690.

Belgium, VI, 694.

Denmark, VII, 206, 239.

Ecuador, VII, 165, 239.

Germany, VI, 630, 631, 632, 690.

Questions arising under, referred to, VII,

467, 568; VIII, 38, 331, 499; IX, 36, 437.

Great Britain, VI, 696, 758; VII, 60, 102, 123.

Prussia, VI, 629.

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Questions arising out of, discussed, VIII,

335, 504; IX, 446, 530; X, 112.

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Naturalization, Federal Bureau of, recommended, XI, 1160.

Naturalization Laws:

Laws regarding expatriation and election of nationality discussed, VI, 458, 580; VII, 239, 291, 346, 405; VIII, 336. (See also Impressment; Naturalized Citizens.)

Revision of, recommended, I, 66, 68, 258, 331, 523, 574; VII, 405; VIII, 241, 336, 505, 785; IX, 43; X, 15, 641, 642, 824, 825, 843; XI, 1160, 1161.

Naturalized Citizens (see also Aliens):

Allegiance of, to native government discussed, VI, 580.

Bureau of registration of. (See Registration Bureau.)

Distinctions not to be recognized between native citizens and, V, 641.

Duties of citizenship evaded by, discussed, VIII, 785.

Impressed into military service of foreign countries, V, 590; VI, 458; X, 200.

By France discussed and referred to, V, 640; VI, 517; VIII, 614, 781.

Italy referred to, IX, 238.

Prussia discussed and referred to, V, 589, 592; VI, 517, 580.

Returning to native country and claiming citizenship in United States discussed, VI, 180; VII, 36, 239, 291, 345.

Navajo Indians.—An important tribe of the southern division of the Athapascan stock of Indians. From the time of their earliest discovery by the whites they have occupied the country along and south of the San Juan River, in northern New Mexico and Arizona, and extending into Colorado and Utah. They were surrounded by the Apache tribes except on the north, where the Shoshones were their neighbors. The Navajos are at present confined to the Navajo reservations in Utah, New Mexico, and Arizona.

Navajo Indians:

Practicability of restraining, within present reservations, etc., reports on, IX, 347.

Treaty with, V, 33; VI, 636.

Naval Academy.—An institution for the training of naval officers, founded at Annapolis, Md., in 1845, through the efforts of George Bancroft, then Secretary of the Navy. The Academy was not established by formal legislation of Congress, but was opened in October, 1845, under orders from the Secretary of the Navy. It was not until Aug. 10, 1846, that Congress took any action toward the encouragement of the enterprise. At that time \$28,000 was appropriated for repairs, improvement, and instruction, and the following year a like sum was appropriated. In 1850 the school was reorganized and the name changed to the United States Naval Academy. At the outbreak of the Civil War the Academy was removed to Newport, R. I., where it remained until the summer of 1865, when it was reestablished at Annapolis. The Naval Academy is under the immediate control of an academic board, consisting of a superintendent, who is a naval officer; a commandant of cadets, and the heads of the different departments of study, who are, with one exception, naval officers. (See also Midshipman.)

Naval Academy:

Appropriation for paving sidewalk at, recommended, VIII, 84.

Board of Visitors to, report of, referred to, VI, 389.

Discussed, V, 133; VI, 185.

Establishment of, recommended, II, 310.

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Reorganization of, discussed, V, 177.

Naval Code, revision of, recommended, V, 89.

Naval Courts of Inquiry, referred to, II, 326.

Naval Expeditions. (See Arctic Expeditions; Exploring Expeditions.)

Naval Militia.—In 1888 Congress passed an act authorizing the maritime States to organize a naval reserve, to be trained and fitted for operating the coast and harbor defense vessels, etc., in time of war, thus liberating the regular naval force to man the heavy seagoing war ships, etc. Massachusetts was the first State to pass laws providing for such organization. New York took similar action, and by 1898 most of the maritime States had regularly organized naval militia. The first appropriation for the equipment of the force was \$25,000, made by Congress in 1891. The naval militia is now organized in 16 States and in the District of Columbia, and all matters concerning it come under the cognizance of the Assistant Secretary of the Navy. Its present strength is 447 officers and 4,852 enlisted men.

Naval Militia, development of, discussed, IX, 324, 734; X, 445.

Naval Observatory.—A Government institution founded at Washington in 1842, and under the supervision of the Navy Department. It has published many volumes of astronomical observations, and an annual American Ephemeris or Nautical Almanac (issued some years in advance) ever since 1855. Important discoveries have been made by its 26-inch equatorial telescope, notably Asaph Hall's discovery of the satellites of Mars. It occupies a fine group of marble buildings on Georgetown Heights. The observatory is in charge of the superintendent who is also a rear-admiral and is assisted by a staff of 7 members 3 of whom are naval officers and 4 civilians.

Naval Observatory:

Estimates for observation of transit of Venus referred to, VIII, 81.

Appropriation for, recommended, VIII, 101.

Referred to, VII, 295.

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Naval Officers. (See Navy.)

Naval Parade to be held in New York Harbor, IX, 325.

Naval Peace Establishment. (See Navy.)

Naval Pension Fund. (See Pensions.)

Naval Reserve, National, establishment recommended, X, 445.

Naval Stations:

Establishment of—

Discussed, VII, 621, 634.

In West Indies recommended, VI, 579.

Lands for. (See Lands Public.)

Survey for, mentioned, II, 475.

Naval War College.—A course of lectures on and instruction in the manipulation of torpedoes established by the Government at Coasters Harbor Island, Newport, R. I., in 1889. The class consists chiefly of officers and men in the torpedo service, but lectures are delivered on all branches of naval improvement and progress. The course continues 3 months in each year.

Naval War College discussed, IX, 734.

Navassa Island:

Occupation of, by American citizens referred to, V, 589.

Recognition of, as appertaining to United States referred to, IX, 190.

Trial of laborers in, charged with killing agents of Navassa Phosphate Co. discussed, IX, 190.

Navassa Phosphate Co., trial of laborers charged with killing agents of, in Navassa Island, discussed, IX, 190.

Navigation:

Accidents in, resulting from criminal negligence in use of steam power discussed, III, 34.

Advancement in science of nautical affairs, V, 134.

Appropriation for improvement of, recommended, V, 130.

Bridges so constructed over waters as to obstruct, discussed, VIII, 349.

Depressed state of, I, 574.

Extension of laws of, etc., referred to, V, 6.

Laws of, having tendency to prolong War of 1812 should be revised, I, 540.

Prosperous condition of, IV, 554.

Referred to, I, 82, 85, 86, 89, 103, 237, 330, 358, 485, 495, 574; V, 33.

Treaty with Spain regarding, I, 114, 118, 172.

Utility of canal, explained, I, 497; II, 216.

Navigation Act.—An important move in England's struggle with the Dutch for possession of the carrying trade of the world. The act was first promulgated in 1645, amplified in 1650, and renewed with a few changes by Charles II in 1660. It related to five subjects—coasting trade, fisheries, commerce with the Colonies, commerce with European countries, and commerce with Asia, Africa, and America. The clauses of importance to American history were those providing that all colonial trade should be carried on in ships built and owned in England and the Colonies and that in the case of many specified goods trade should be confined to English markets. The former clause acted as a powerful stimulant to colonial shipbuilding. The act was rendered largely inoperative by the prevalence of smuggling, and the efforts of Great Britain to enforce it were among the leading causes of the Revolution.

Navigation Laws.—The Constitution gives Congress power to pass navigation laws in accordance with the principles of international law. By act of 1789 a tonnage tax of 6 cents per ton was levied on all American vessels and one of 50 cents a ton on all vessels built and owned in foreign countries and entering American ports which practically gave a monopoly of American trade to American bottoms. In 1792 the act requiring American registration was passed. In 1793 the coasting trade was closed to foreign vessels. In 1816, 1817, and 1820 the American navigation laws were remodeled and made to correspond closely to those of Great Britain. Tonnage taxes, which had been abolished, were renewed at the outbreak of the Civil War. With the advent of iron vessels came the decrease in American shipbuilding and the decrease in the American marine was further due to the law forbidding any but American built ships to fly the American flag. This restriction was however modified by the

act of 1892. The act of 1886 reduced the tonnage rates considerably, and these two acts have done much to invigorate American shipping.

Navigator Islands. (See Samoan Islands.)

Navy.—During the Revolution this country had practically no navy. In September, 1775, the British troops, closely environed in Boston, could receive supplies only by water. To intercept these Washington detailed certain of his officers and men who were familiar with nautical matters to patrol Boston Harbor in small armed cruisers. Some of the States had already constructed vessels at public expense to protect their coast line. New England seamen cruised with such effect in Massachusetts Bay as not only to deprive the British garrisoned in Boston of their necessary supplies, but also to add to the resources of the Continental Army by the capture of numerous prizes. At the end of 1775 the Continental Congress began the construction of a navy by ordering 13 frigates to be built. These performed some service, but most of the achievements of the war were by privateers. By 1781 all of the 13 Federal vessels had been either captured or destroyed. In 1797 and 1798, in anticipation of war with France, Congress authorized the construction of the *Constitution*, *United States*, and *Constellation* and the purchase of 24 other vessels. Hostilities with France having been averted, the newly acquired navy was used with good effect in resisting the Barbary States. At the outbreak of the War of 1812 the United States had about a score of vessels, 3 of them being first-class frigates—the *Constitution*, the *President*, and the *United States*—as against England's 830. The brilliant achievements of American vessels in that war secured increased appropriations. In 1816 \$1,000,000 annually for 8 years was appropriated. By the law of 1819 the Navy was largely increased and a resolution provided for naming ships of the line after the States, frigates after the rivers of the United States, and sloops of war after the chief cities and towns. The vessels were divided among four squadrons and stationed in the Mediterranean, the Pacific, the West Indies, and on the coast of Brazil, and in 1841 an additional squadron was ordered to cruise along the coast of the United States. During the Mexican War the Gulf Squadron blockaded Vera Cruz and bombarded the fort of San Juan de Ulloa into submission, while the Pacific Squadron seized Monterey and Los Angeles, Cal. At the outbreak of the Civil War the United States had only about 40 vessels in commission. The character of naval warfare at this time had been changed by improved armament. The old wooden vessels were useless when opposed by the Whitworth and other modern guns of long range and heavy caliber. The turreted ironclad was born of the emergency. A new navy had to be constructed in order to maintain the blockade of Southern ports, and by Jan. 1, 1864, the National Government had over 600 vessels, 75 of them ironclads, with more than 4,600 guns and 35,000 men. After the war the Navy was reduced. Notwithstanding the appropriation of large sums of money, 1882 found the United States in possession of only 140 vessels, and more than 100 of

Navy—Continued.

these were incapable of sea service. Soon after this date a new policy regarding the Navy was inaugurated and has since been pursued with credit and honor to the nation. At present the Navy consists of 11 first-class battle ships, 1 second-class battle ship, 2 armored cruisers, 1 armored ram, 4 single-turret harbor-defense monitors, 6 double-turret monitors, 18 protected cruisers, 3 unprotected cruisers, 12 gunboats, 3 light-draught gunboats, 6 composite gunboats, 1 training ship, 21 gunboats under 500 tons, 16 torpedo-destroyers, 30 steel torpedo boats, and 8 submarine torpedo boats making with boats of various other types an effective fighting force of 265 vessels. In addition there are 47 vessels authorized or under construction, including 14 first-class battle ships and 10 armored cruisers making, with 15 wooden vessels unfit for sea service a grand total of 327 ships of various sorts. The active list of the Navy contains 1 Admiral, 27 rear-admirals, 82 captains, 121 commanders, 192 lieutenants commander 379 lieutenants of various grades, 174 ensigns and 106 midshipmen. The total strength of the Navy comprises 1,687 commissioned and 610 warrant officers with 31,000 enlisted men. In addition to which the Marine Corps has a force of 278 officers and 6,000 men. The pay of officers ranges from \$7,500 for a rear-admiral (the Admiral receives \$13,500) to \$500 for a midshipman; warrant officers received from \$1,200 to \$1,800 and first-class seamen \$288 a year. The principal navy-yards are Brooklyn, N. Y.; Boston, Mass.; Norfolk, Va.; Portsmouth, N. H.; League Island, Pa.; Mare Island, Cal.; Pensacola, Fla., and Washington, D. C.; and stations are maintained at Newport, R. I.; New London, Conn.; Port Royal, S. C.; Key West, Fla., and Bremerton, Wash.

Navy:

Admiral of, revival of grade of, recommended, X, 120.
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- Navy, The Department of the.**—One of the 9 Executive Departments of the Government. The Secretary of the Navy, the head of the Department, is appointed by the President at a salary of \$8,000 per annum, and is a member of the Cabinet.
- The Continental Navy was under the direction of various committees, boards and agents, the first committee, being one of three members, was appointed on October 13, 1775. In 1781, the Board of Admiralty, then acting was replaced by the Secretary of Marine, whose duties correspond with those of the present Secretary of the Navy; but before the end of that year the duties of the office were transferred to the Treasury Department.
- Upon the adoption of the Constitution, in 1789, naval matters were placed under the jurisdiction of the War Department and so remained until April 30, 1798, when in consequence of depredations of French cruisers, twelve new ships were added to the fleet; and the modern Department of the Navy was organized with a Secretary at its head. In 1815 a board of three "Navy Commissioners" was created which was charged with the duty of procuring naval stores, of constructing and equipping vessels and of superintending the navy yards; the order creating these Commissioners expressly provides that they should not interfere with the powers of the Secretary of the Navy Department.
- In 1842 five bureaus, namely, Navy Yards and Docks, Construction, Equipment and Repairs, Clothing and Provisions, Ordnance and Hydrography, and Medicine and Surgery took the place of the Commissioners. Another reorganization took place in 1862 which placed the Department substantially upon its present basis. The Hydrographic Office was then established and the office of Judge-Advocate-General, created in 1865, was reorganized in 1880. Although assistants to the Secretary had been from time to time appointed before that date, it was not till 1890 that the office of Assistant Secretary was established.
- The Secretary of the Navy has the general supervision of the work of the Department, and, although under the Constitution the President is Commander in chief of the Navy, the official acts of the Secretary are final. The Assistant Secretary performs the duties of the Secretary in the latter's absence. The details of the Secretary's duties are carried out by eight Bureaus, each presided over by a naval officer having the actual or nominal rank of Rear-Admiral. The Bureau of Navigation attends to the

Navy, The Department of the—Continued.

promulgation and enforcement of the Secretary's orders; the education of officers; the enlistment and education of enlisted men; keeps their records and preserves the Naval Register; and directs the enforcement of all regulations. The Bureau of Yards and Docks attends to the construction, equipment and maintenance of all Docks and Navy Yards. The Bureau of Equipment furnishes all supplies to the ships, directs the Naval Observatory and prepares the Nautical Almanac; the Hydrographic Office, whose duties relate to the preparation of charts and gathering information on all kinds of nautical subjects, is a branch of this Bureau. The Bureau of Ordnance supervises the manufacture of offensive and defensive armor and apparatus, and, in connection with the Bureau of Construction and Repairs, their installment on the ships. The Bureau of Construction and Repairs designs and constructs war-ships, has charge of the docking of the ships and repairing all permanent fixtures. The Bureau of Steam-Engineering constructs and repairs all steam machinery. The Bureau of Medicine and Surgery has charge of and furnishes supplies to the Medical Department and all naval hospitals. The Bureau of Supplies and Accounts furnishes all the general supplies and keeps all naval accounts.

In addition to these Bureaus, the office of the Judge-Advocate-General forms the law department of the Navy; it prepares charges and keeps records of all courts-martial, attends to the legal side of all contracts and bonds, and reports upon questions involving the interpretation of the regulations. The Commandant of Marines is the head of the Marine Corps. The General Board, composed of naval officers of various grades, advise the Secretary on technical matters and submit plans for naval maneuvers, etc. Following is a list of the Secretaries of the Navy from the establishment of the office in 1798 to 1906: George Cabot, Massachusetts (appointed and declined); Benjamin Stoddert, Maryland; Robert Smith, Maryland; Jacob Crowninshield, Massachusetts; Paul Hamilton, South Carolina; William Jones, Pennsylvania; B. W. Crowninshield, Massachusetts; Smith Thompson, New York; John Rodgers (acting), Maryland; Samuel L. Southard, New Jersey; John Branch, North Carolina; Levi Woodbury, New Hampshire; Mahlon Dickerson, New Jersey; James K. Paulding, New York; George E. Badger, North Carolina; Abel P. Upshur, Virginia; David Henshaw, Massachusetts; Thomas W. Gilmer, Virginia; John Y. Mason, Virginia; George Bancroft, Massachusetts; William B. Preston, Virginia; William A. Graham, North Carolina; John P. Kennedy, Maryland; James C. Dobbin, North Carolina; Isaac Toucey, Connecticut; Gideon Welles, Connecticut; Adolph E. Borie, Pennsylvania; George M. Robeson, New Jersey; Richard W. Thompson, Indiana; Nathan Goff, jr., West Virginia; William H. Hunt, Louisiana; William E. Chandler, New Hampshire; William C. Whitney, New York; Benjamin F. Tracy, New York; Hilary A. Herbert, Alabama; John D. Long, Massachusetts; William Henry Moody, Massachusetts; Paul Morton, Illinois; and the

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Nebraska.—One of the United States; motto, "Equality before the law." It extends from lat. 40° to 43° north and from long. 95° 25' to 104° west. It is bounded on the north by South Dakota (partly separated by the Missouri River), on the east by Iowa and Missouri (separated from both by the Missouri River), on the south by Kansas and Colorado, and on the west by Colorado and Wyoming. The State is one of the first in the production of corn being extremely fertile in the eastern part and along the Platte River. Its principal industries are agriculture and stock raising, slaughtering and meat packing; South Omaha being one of the great cattle markets of the world. Butter, cheese, condensed milk and kindred dairy products are the chief manufactured products. Omaha is the center of the printing and publishing trade of the middle west. Nebraska originally formed part of the Louisiana Purchase and was later made a part of the Territory of Missouri. It was made a Territory in 1854, and included portions of the Dakotas, Montana, Wyoming, and Colorado. Nebraska was admitted to the Union in 1867. The State takes its name from the river. It was first permanently settled at Bellevue in 1847. It has an area of 77,510 sq. miles and a population (1900) of 1,066,300; (1905) of 1,250,000, estimated.

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Negro Plot.—An alleged attempt on the part of certain negroes, incited and assisted by whites, to burn New York City. Mar. 18, 1741, a fire occurred in the chapel and barracks of Fort George. It was at first thought to be accidental, but 8 other fires of unaccountable origin within a month strength-

ened the allegation of one Mary Burton, a servant in the employ of John Hughson, that a number of negroes and sailors were implicated in a plot to destroy the town. It was charged that the Spanish were inciting plots among the negroes. Twenty whites and more than 160 negro slaves were imprisoned. Four whites and 18 negroes were hanged and 13 others were burned at the stake before the excitement abated.

Negro Troops.—In early Revolutionary days and in the first two years of the Civil War negro troops were employed to a limited extent. In July, 1863, a general provision was made for their enlistment in the Union Army and numbers were in the service. Since the Civil War there have always been negro troops in the Regular Army. They served in the war with Spain in 1898, and proved to be less subject to the prevailing fever and the enervating effects of heat than white soldiers.

Negroes.—According to the census of 1900, there were in the United States 9,192,389 colored inhabitants. Of these 119,050 were Chinese, 85,986 Japanese, and 266,760 Indians, leaving 8,621,493 negroes, or about one-ninth the entire population.

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Netherlands.—A Kingdom of western Europe, often called Holland, after North Holland and South Holland, 2 of the 11 provinces into which the Kingdom is divided. It is bounded by the North Sea on the north and west, Prussia on the east, and Belgium on the south. The country is occupied by an intellectual, industrious, and thrifty people, who have reclaimed much of the land from the sea and are extensively engaged in commerce, agriculture, and manufactures. The Government is a hereditary constitutional monarchy administered by a Queen and a States-General composed of an upper chamber of 50 and a lower chamber of 100 members. The inhabitants, generally called Dutch, are of Low German origin, descendants of the brave Batavi of ancient times.

Netherlands—Continued.

Their prevailing religions are Dutch Reformed and Roman Catholic. The country once formed a part of the Germanic Empire, then of Burgundy, and later was acquired by Spain. Following the Reformation came the revolution under William of Orange. After a long series of struggles with Spain the independence of the Dutch Republic was recognized, 1648. Its Stadholder was King of England (William III) from 1689 to 1702. The Dutch Republic was conquered by France in 1794, became the Republic of Batavia in 1795, was converted into a kingdom under Louis Bonaparte in 1806, annexed by France in 1810, united with Belgium in the Kingdom of the Netherlands in 1815, and admitted the independence of Belgium in 1839. It has an area of only 12,648 sq. miles, upon which live a population amounting, according to the communal census of 1902, to 5,347,182. The colonial population of the Netherlands, however, approximates 36,000,000, living on possessions aggregating 783,000 sq. miles.

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Neutrality, Proclamation of.—Neutrality, in international law, is the attitude and condition of a nation or state which does not take part directly or indirectly in a war between other states, but maintains relations of friendship with all the contending parties. In ancient times war between any two nations was likely to involve any other, either through sympathy or by its being drawn unwillingly into the controversy on accusation of favoring one or the other of the belligerents. Modern civilization has made it possible for a peacefully inclined nation to avoid entanglements in quarrels not of its own making. The position which a state intends to take in case of war between its neighbors should be clearly defined. It is customary, therefore, on the breaking out of hostilities for every nation not participating therein to declare its position with reference to the belligerents. This is usually done by a proclamation by the chief ruler of a state proclaiming its neutrality and calling upon its citizens to refrain from any acts of hostility or special favor toward either of the parties to the strife. It is also customary for every nation to put on its statute books general laws regulating the acts of its citizens with reference to foreign wars. Upon the declaration of war between France and Great Britain in 1793 it was decided unanimously by Washington and his Cabinet that a proclamation of neutrality should issue and that a French minister should be received. The proclamation was drafted by John Jay and declared the intention of the United States to pursue a policy of friendship toward both nations, and enjoined upon all citizens to avoid a contravention of that disposition upon pain of prosecution. It is a curious fact that the word "neutrality" was omitted from this proclamation, but it was enforced with fairness. The latest proclamation of neutrality was issued by President Roosevelt on February 11, 1904, declaring the neutrality of this country in the Russo-Japanese War.

Nevada.—One of the United States; nickname, "The Sage Brush State;" motto, "All for our country." Nevada extends from lat. 35° to 42° north and from long. 114° to 120° west. It is bounded on the north by Oregon and Idaho, on the east by Utah and Arizona, and on the west and southwest by California. The State is rich in the precious metals

the principal products being silver and gold. Car construction works and repairing shops, factories for the production of butter, cheese and condensed milk and flour and grist mills employ the major portion of the industrial population. Wheat and hay are the chief agricultural products. The territory was ceded by Mexico in 1848 and the first settlements were made in 1848 and 1850. Silver was discovered in 1859. Nevada Territory was organized in 1861 and was admitted to statehood in 1864. It has an area of 110,700 sq. miles and a population (1900) of 42,335; (1905) 65,000, estimated.

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Imprisonment of American citizens by, II, 397, 403, 424; III, 358, 405, 470. (See also Great Britain.)

New England.—A name applied to the northeastern section of the United States by Capt. John Smith in his map of the New World published in 1616. Though composed of separate Colonies, there was always a similarity in the customs and habits of the people. New England formed part of North Virginia, granted to the Plymouth Company by James I in 1606. In 1643 most of the New England Colonies were united for defensive purposes into the New England Confederation. New England is now applied collectively to the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

New England, Council for.—On Nov. 3, 1620, Ferdinando Gorges and others incorporated in a reorganized form the old North Virginia Company of 1606. It was called the Council for New England, and had its headquarters at Plymouth, in the county of Devon. Its stated object was the "planting, ordering, ruling, and governing of New England, in America." The patent granted to this company gave them all the land lying between lat. 40° and 48° north and from the Atlantic to the Pacific Ocean. In 1621 Gorges obtained an additional grant of territory, covering the present States of Maine and New Hampshire, under the name of Laconia, most of which, however, seems to have been included in the original grant. The lands of this company were then divided among 20 noblemen. William Bradford obtained from this company a grant permitting the settlement of the Pilgrims, a sect of English separatists who had fled from England to Holland to escape religious persecution, and who sought in America an asylum where they might worship God according to the dictates of their own consciences.

New England Emigrant Company.—The passage of the Kansas-Nebraska law in 1854 made the institution of slavery in Kansas dependent upon the will of the majority of the people of the State. Proslavery advocates in Missouri set to work to establish slavery by assisting in the emigration of Southern families. In 1855 an association was formed in Boston to offset this movement by assisting New England farmers to establish homes in the debatable territory. This organization was known as the New England Emigrant Company, and did much toward making Kansas a free State.

New England Shilling.—The general court of Massachusetts on May 27, 1652, established a mint at Boston and installed John Hull as mint master. The first coins which were struck were but rude planchets stamped "N. E." near the border on the obverse and the denomination mark (XII) on the reverse, signifying the value of 12d. This was known as the New England shilling, and was valued at 18¼ cents.

New France.—A French expedition under Verazzano formed a settlement in America as early as 1524, on land discovered by John and Sebastian Cabot in 1497. In 1535 Jacques Cartier ascended the St. Lawrence River as far as the site of Montreal. The first permanent settlement in New France was founded at Quebec by Champlain in 1608. The colonists cultivated friendly relations with the Indians, and Jesuit missionaries extended the French influence through the region of the Great Lakes to the head waters of the Mississippi and down that stream to the French possessions in the South. The country was conquered by the English in 1629 and restored in 1632. At the beginning of the Seven Years' War New France was made the scene of a part of the struggle between France and England. By 1750 New France, with Louisiana added, comprised the St. Lawrence and Great Lakes basins and the Mississippi basin, though the settlements were scattered. In 1759 Canada was reconquered by the English and its possession confirmed to them by the treaty of Paris, Feb. 10, 1763. The result of this treaty was the cession of all the country east of the Mississippi to England and that west to Spain. The French laws were continued in force and religious liberty was extended to Roman Catholics.

New Granada (see also Colombia):

American citizens in, outrages on, V, 415, 518.

Claims of United States against, IV, 263, 340; V, 415, 518.

Adjustment of, referred to, IV, 263; V, 644.

Commission to settle, extension of time for, recommended, VI, 67.

Convention for adjustment of, referred to, VI, 128.

Mail transported across Isthmus of Panama, complaints regarding, V, 14.

Minister of United States to, reasons for not presenting credentials discussed, VI, 147.

Postal convention with, IV, 315.

Relations with, discussed, V, 447.

Tonnage duties levied on American vessels by, in contravention of treaty discussed, V, 415, 518.

Treaty with, transmitted and discussed, IV, 304, 509, 511; V, 38, 39, 43, 44, 369, 532, 591, 643; VI, 148.

Contravention of, by New Granada, V, 415, 518.

Provisions of, discussed, IV, 511.

Regarding Panama Canal. (See Panama Canal.)

Right of passage over Isthmus of Panama guaranteed by, IV, 511; V, 17, 369, 517; X, 659.

Wars in, discussed, VI, 148.

New Hampshire.—One of the thirteen original States; nickname, "The Granite State." It extends from lat. 42° 40' to 45° 18' north and from long. 70° 43' to 72° 33' west. It is bounded on the north by the Province of Quebec (Canada), on the east by Maine and the Atlantic Ocean, on the south by Massachusetts, and on the west by Vermont (separated by the Connecticut River) and Quebec. New Hampshire is called the "Switzerland of America," being noted for the grandeur of its mountain scenery and the beauty of its lakes. It is one of the leading States in the manufacture of boots and shoes, and produces also cotton, woolen, and worsted goods, lumber and timber products, hosiery, and foundry and machine shop products. New Hampshire was visited by Pring in 1603 and by Capt. John Smith in 1614. It formed part of the territory granted to Gorges in 1621. It was settled by the English at Portsmouth and Dover in 1623. Between 1641 and 1679, and at various times thereafter, it was a part of Massachusetts. Its final separation was in 1741. Vermont was claimed as part of New Hampshire until 1764. Area, 9,305 sq. miles; population (1905), 432,622.

New Hampshire:

Claims of for maintaining jurisdiction over Indian stream, I, 279.

Referred to, III, 279.

Constitution of United States, evidence of ratification of amendments to, by, I, 73, 175. Light-houses ceded to United States by, I, 110. Northeastern boundary, correspondence regarding. (See Northeastern Boundary.)

New Hope Church, or Pumpkin Vine Creek (Ga.), Battle of.—When Gen. Johnson withdrew the Confederate forces from Resaca, Ga., May 16, 1864, he retired by way of Cassville across the Etowah and occupied a strong position commanding Allatoona Pass. May 23 Sherman crossed the Etowah and moved toward Dallas. Hooker, with the Twentieth Army Corps, moving from Burnt Hickory toward Dallas, May 25 encountered a force of Confederate cavalry at Pumpkin Vine Creek. They were driven across the stream, and about 2 miles to the eastward the Federals encountered Johnston's entire army. Here a severe battle took place. The Confederates retired and occupied a strong position from Dallas to Marietta. The losses of each army in these operations were about 2,500 men killed and wounded.

New Ireland.—Jan. 12, 1779, Capt. Mowatt, with 3 British sloops of war, landed Gen. McLane and 900 troops on the peninsula of Biguysduce (now Castine), on the south coast of Maine. On the 25th of the following July an expedition of 19 armed vessels and 24 transports under Gurdon Saltonstall, a Connecticut sea captain, and 1,500 men from Massachusetts under Gen. Lovell, arrived at

New Ireland.—Continued.

Penobscot for the purpose of dislodging the British. They delayed making the attack, however, and the arrival of 5 British ships from New York on the 13th of August forced them to burn their ships and disperse. As a result of their success the British during the next year attempted to erect Maine into a province under the name of New Ireland.

New Jersey.—One of the thirteen original States. It extends from lat. $38^{\circ} 56'$ to $41^{\circ} 21'$ north and from long. $73^{\circ} 54'$ to $75^{\circ} 33'$ west. It is bounded on the north by New York, on the east by New York (separated by the Hudson River, New York Bay, and Staten Island Sound) and the Atlantic Ocean, on the south by Delaware Bay, and on the west by Pennsylvania and Delaware (both separated by the Delaware River). It is the first State in the production of zinc, one of the leaders in the production of iron, and one of the chief manufacturing States, ranking first in the manufacture of silk and glass. Among its chief fabrications are leather, iron, hats, rubber, sugar, and steel, and the refining of petroleum is an industry of considerable prominence. New Jersey was first settled by the Dutch at Bergen, probably about 1617. There were succeeding colonies there of Swedes, Finns, and English. In 1664 it was granted by the Duke of York to Sir George Carteret, lieutenant-governor of the isle of Jersey, to be a perpetual inheritance and to be called New Jersey. It was reconquered by the Dutch in 1673 and restored to England in 1674 and sold to the Quakers. Proprietary government ceased in 1702 and New Jersey was made a royal province. It was under the same governor as New York until 1738. The State has an area of 7,815 sq. miles and in 1905 (State Census) the population was 2,144, 134.

New Jersey:

Boundary line with New York, III, 49.

Ratification of—

Amendment to Federal Constitution by, referred to, I, 78, 259.

Fifteenth amendment by, VII, 127.

Fourteenth amendment by, discussed, VI 638.

Request from the governor of, that Congress consent to an agreement made with New York State regarding boundary, III, 49.

New Jersey, The, interference by American minister to France in case of, I, 399.

New Jersey Plan.—At the convention held in Philadelphia in 1787 to amend the Articles of Confederation William Paterson, of New Jersey, proposed a constitution providing for a single house of Congress, with power to regulate taxation and commerce and choose the President; that requisitions from States should be continued as under the Articles of Confederation; that a judiciary should be established; that the Executive should coerce refractory States or individuals, and other matters of general but minor interest. The plan was unfavorably reported. The convention accepted the Virginia plan with extensive modifications.

New Jerseymen Foreigners.—The humorous reference to New Jersey as a foreign country had its origin in a special act of the legislature of that State permitting Joseph Bonaparte, former King of Spain and Naples, to hold real estate within its boundaries. After

the downfall of Napoleon, Joseph sought an asylum in America. The legislature of Pennsylvania refused to allow him, being an alien, to acquire land in that State, so he appealed to New Jersey. His request was granted and he established himself in princely magnificence at Bordentown. Hence the citizens of other States were accustomed to jestingly twit the Jerseymen with being foreigners under a foreign prince.

New London (Conn.), Capture of.—Sept. 6, 1781, Benedict Arnold's expedition against Connecticut arrived in the harbor of New London. The only defense of the town was the unfinished Fort Trumbull, manned by about 25 or 30 State militia under Capt. Shopley. About a third of these were lost while escaping in boats to Fort Griswold after firing one volley, disabling 4 or 5 of their assailants.

New Madrid (Mo.), Battle of.—On the surrender of Fort Donelson to Grant the Confederates abandoned Columbus, Ky., on the Mississippi, and fell back to New Madrid, Mo., about 80 miles below Cairo. It was defended by Fort Thompson and several batteries and by 6 gunboats mounting heavy guns, under Commodore Hollins. Mar. 4, 1862, Gen. Pope appeared before New Madrid with an army of 20,000, which he had been commanding in eastern Missouri. On the 14th, having received heavy guns from Cairo, he gave the place a severe cannonading, disabling several of the gunboats. Gen. McCown, unable to hold New Madrid, removed his garrison during the night and in the midst of a thunderstorm to Island No. 10. Pope lost 51 men killed and wounded. The Confederate loss is not known.

New Mexico.—An organized Territory of the United States; motto, "Crescit eundo" ("It increases as it goes"). It extends from lat. $31^{\circ} 20'$ to 37° north and from long. $103^{\circ} 2'$ to $109^{\circ} 2'$ west. It is bounded on the north by Colorado, on the east by Texas and Oklahoma, on the south by Texas and Mexico, and on the west by Arizona. It was visited by Niza in 1539, and Francisco Vasquez de Coronado conducted an expedition consisting of 400 Spanish and 800 Indians as far north as the present city of Santa Fé in 1540. Near the close of the sixteenth century Spanish missionaries made settlements about the head waters of the Rio Grande, and in 1605 Santa Fé was founded. The Spanish were temporarily expelled by the Indians in 1680. In 1846 the region was conquered by the Americans under Gen. Kearny, who proclaimed himself provisional governor. By the treaty of Guadalupe Hidalgo, proclaimed in 1848, New Mexico became a part of the United States. A Territorial government was established by act of Congress approved Sept. 9, 1850. In 1853 a part of the Gadsden Purchase was added to New Mexico, making the present area 122,580 sq. miles. The population in 1900 was 195,310, in 1905 it was estimated at 325,000, engaged mostly in mining and stock raising.

New Mexico:

Abduction of citizens from, referred to, V, 107.

Admission of, into Union discussed, V, 18, 26; XI, 1178.

Appropriations for, requested, VI, 468.

New Mexico—Continued.

- Boundaries of, discussed, IV, 506.
 - Boundary line with Colorado, X, 845.
 - Boundary line with Texas, V, 28, 30, 48, 49, 65, 92.
 - Proposition of United States regarding establishment of, accepted, V, 94.
 - Proclamation regarding, V, 107.
 - Views of President Fillmore on settlement of, V, 67, 94.
 - Capitol at Santa Fé, appropriation for completion of, recommended, VIII, 150.
 - Cession of California and, to United States by Mexico—
 - Area and value of, discussed, IV, 599, 634.
 - Discussed and recommendations regarding, IV, 456, 459, 494, 506, 536, 576, 587, 594, 634.
 - Treaty for, transmitted, IV, 587.
 - Claims of Texas to portion of. (See Boundary line, *ante*.)
 - Condition of, discussed, IV, 594.
 - Constitution adopted by, transmitted, V, 75.
 - Forces to be employed in, IV, 604.
 - Government of, discussed, V, 19, 26.
 - Indian hostilities in, discussed, VII, 576.
 - Indians in—
 - Enslaved, discussed and orders regarding, VI, 342.
 - Hostilities of, referred to, V, 590.
 - Number of, IV, 603.
 - Land laws, extension of, over, recommended, V, 87.
 - Lands granted to, in aid of colleges accepted, VI, 157.
 - Lands in—
 - Claims under Spanish and Mexican grants discussed, IX, 49, 75, 126.
 - Records of Mexican Government regarding, VII, 303.
 - Set apart as public reservation by proclamation, IX, 251; X, 503, 726, 738; XI, 1047, 1079, 1089, 1124.
 - Legislative sessions of—
 - Law providing for time for commencement of, referred to, VIII, 88.
 - Recommendation for holding, VIII, 149.
 - Mines in, referred to, IV, 643.
 - Officer commanding in, referred to, V, 49.
 - Proclamation of, referred to, V, 65.
 - Persons convicted of treason in, referred to, IV, 598.
 - Prohibition by authorities of Spain to land American cargoes at, I, 346.
 - Revenue laws over, recommended, IV, 643.
 - Slavery in, right to introduce discussed, IV, 640. (See also Slavery.)
 - Surveyor-general's offices in, recommended, IV, 643.
 - Territorial government over—
 - Deemed inexpedient, V, 29.
 - Difficulties in organizing, V, 127.
 - Proposition and proclamation regarding, V, 94, 107.
 - Recommended, IV, 542, 589, 638.
 - Unlawful combinations in, proclamations against, VII, 489; IX, 500.
- New Netherlands.**—The second in order of settlement of the thirteen Colonies. It was the name of the region lying between the Delaware and Connecticut rivers. It was claimed by the Dutch by virtue of its discovery by Henry Hudson, an English navigator in charge of a Dutch expedition, in 1609. A trading post, the germ of a colony, was established 1613-14 and maintained. In

1614 the States-General of the Netherlands granted the exclusive privilege of trading in New Netherlands to the explorers. In 1615 the New Netherlands Company was formed to trade in furs, but little attempt was made to settle families before 1621. In 1623 the new country was made a province of Holland and granted the armorial distinction of a count. Charles II of England in 1664 granted the country to his brother, the Duke of York, and the garrison of the little block-house at New Amsterdam, being menaced by six times its number, was compelled to surrender. The place was recovered by the Dutch in 1673, but restored the following year. In 1674 the name was changed to New York. The question of the priority of the settlement of New York by the Dutch to that of Plymouth by the expatriated English Pilgrims, fresh from Holland, is one that still divides the historians. Dr. Brodhead, on the authority of Holland documents, seems, however, to have shown that the early trading post set up by the Dutch in 1613 was never abandoned and was really a settlement before the date of the Plymouth colonization. A similar post was established 1614 near the present site of Albany.

New Orleans, The, mentioned, X, 93.

New Orleans, La.:

- Alarm excited at, over report that Aaron Burr would assemble armies in, I, 415.
- Blockade of port of, removed by proclamation, VI, 89.
- Branch mint at—
 - Seizure of, by authorities of Louisiana referred to, V, 668.
- Capture of, referred to, VI, 114.
- Cincinnati and Louisville expositions, VIII, 232.
- Defense of, should engage attention of Congress, I, 406, 459; II, 119.
- Investigations of Gen. Smith and James T. Brady at, referred to, VI, 385.
- Italians lynched in, discussed, IX, 182.
- Indemnity for, paid by United States, IX, 316.
- Memorial from, regarding irregularity in mail service, V, 350.
- Rights of deposit at port of, suspended, I, 350.
- Restored, I, 358.
- Riot at, referred to, VI, 464.
- Spanish subjects in, assaulted, V, 118.
- Claims arising out of, discussed, V, 152.
- Title to lots in, referred to, I, 442.
- Vessels bound for, for military necessities allowed to enter port of, VI, 177.
- World's Industrial and Cotton Centennial Exposition at, discussed and recommendations regarding, VIII, 186, 215, 217, 276, 338.
- Board on behalf of Executive Departments designated, VIII, 228, 230.
- Also placed in charge of Cincinnati and Louisville expositions, VIII, 232.
- Instructions to, VIII, 232, 233.
- Proclamation regarding, VIII, 159.
- Report of board of management transmitted, VIII, 368.

New Orleans (La.), Battle of.—Within a week after the battle of Rodriguez Canal both Jackson and Sir Edward Pakenham received reinforcements. Jackson's whole force on the New Orleans side of the river on Jan. 8, 1815, was about 5,000, of which only 2,200

New Orleans (La.), Battle of—Continued.

were at the front. Only 800 of the latter were regulars. On the opposite side of the river was Gen. Morgan with 800 militia. This force of 5,800, indifferently armed and disciplined, was confronted by 10,000 of the finest soldiers in the world, most of them fresh from the continental campaign under Wellington. The Americans were intrenched behind their fortifications, which the British were compelled to approach across an open plain. In the conflict 2,600 were lost to the British, of whom 700 were killed, 1,400 wounded, and 500 taken prisoners. The Americans lost only 8 killed and 13 wounded. Probably no other battle in history presents this disparity in the number lost.

New Orleans (La.), Capture of.—Feb. 20,

1862, Commodore Farragut, with his flagship, the sloop of war *Hartford*, arrived at Ship Island, 100 miles north-northeast of the mouth of the Mississippi. He was in command of the Western Coast Blockading Squadron, with directions to take possession of New Orleans. A military force to cooperate with Farragut arrived at Ship Island Mar. 25 under Gen. B. F. Butler. The defenses of New Orleans were Fort Jackson, on the right bank or south side of the river, near its last great bend before it separates into the Delta, and Fort St. Philip, a little farther upstream on the opposite side. The former, with its water battery, mounted 75 guns; the latter 40. Just above the forts was a fleet of 15 vessels, including the ironclad ram *Manassas* and a floating battery, covered with railroad iron, called the *Louisiana*. These were in command of Commodore J. K. Mitchell. A heavy chain was also stretched across the river below Fort Jackson. Farragut's fleet consisted of 6 sloops of war, 16 gunboats, 21 schooners, each carrying a 13-inch mortar and 5 other vessels. The fleet carried more than 200 guns. Farragut bombarded the forts for 6 days with his mortar boats without much effect. The Confederate loss was 14 killed and 39 wounded. It was then decided to run by the forts. The obstructions were opened in the face of a heavy fire, and the fleet formed in 3 divisions and awaited the signal. It was given at half past 3 o'clock on the morning of Apr. 24, 1862. Capt. Bailey led off with his division of 8 vessels. Under the storm of shot and shell they passed the obstructions and ran by the forts against the current in a stream less than half a mile wide, escaping the blazing rafts only to be met at the end of their journey by the Confederate gunboats eager to begin the fight. The second division of the fleet was led through the fiery gantlet by the *Hartford*, with Farragut on board. The *Sciota*, carrying Fleet Captain Bell, led the third division. The *Kennebec*, *Iasca*, and *Winona* failed to pass the forts, becoming entangled in the rafts and floating débris and delayed beyond the dawn. The latter lost all but one man of her rifled-gun crew. Having passed the forts the fleet savagely attacked the small Confederate gunboats beyond and their destruction was speedily accomplished. May 1 New Orleans was formally occupied by United States troops. The Federals lost in the taking of New Orleans 37 killed and 147 wounded. The Confederate loss was stated as only 40 killed and wounded.

New Panama Canal Company, treatment of, by Colombia, X, 700.

New Providence, slaves seized on board brigs by authorities of, III, 280.

New South Wales:

International exhibition at Melbourne to celebrate founding of, discussed, VIII, 591. Postal convention with, VIII, 296.

New York.—One of the thirteen original States; nickname, "The Empire State;" motto, "Excelsior." It extends from lat. 40° 30' to 45° 1' north and from long. 71° 51' to 79° 46' west. It is bounded on the north and northwest by Ontario, Canada (separated for the most part by Lake Ontario and the St. Lawrence River); on the east by Vermont (partly separated by Lake Champlain), Massachusetts, and Connecticut; on the south by the Atlantic Ocean, New York Bay, New Jersey, and Pennsylvania (partly separated by the Delaware River), and on the west by Pennsylvania and Ontario (separated by Lake Erie and the Niagara River). Long Island, Staten Island, and several small islands are included in the State. It is mountainous in the eastern part, along the Hudson River. A beautiful rolling country constitutes the watershed separating the north and south drainage of the western and central parts of the State. To the north the surface descends in undulating terraces toward Lake Ontario. To the south the country is higher, in places reaching an altitude of 2,000 to 2,500 feet. The valley of the Mohawk extends westward from the Hudson for nearly 150 miles. New York is the first State of the Union in commerce, manufactures, population, and estimated value of property, and the second State in value of farms. The area of the State is 49,170 sq. miles and the population (1900), 7,268,894; (1905), 8,066,672, according to State Census. (See also New Netherlands.)

New York (see also Hudson; New York City): Boundary line with New Jersey referred to, III, 49.

Branch mint in. (See New York City.)

Canadian outrages on frontier of, discussed, III, 401, 459, 478, 623.

Canals in, recommendation regarding, VI, 133.

Colonial history of, referred to, IV, 101.

Constitution of United States, evidence of ratification of amendments to, by, I, 75, 172, 174.

Courts in—

Crowded condition of docket of, discussed, VIII, 534.

Recommendations regarding, VIII, 46.

Judge, additional, for southern district of, recommended, VIII, 513.

Judges of United States circuit court for district of, opinion of, regarding pensions, I, 123.

Sheriffs in, duties of, respecting prisoners, I, 75.

Statue of George Clinton presented to Congress by, VII, 260.

Unlawful expeditions in, III, 399; V, 161.

New York, The, mentioned, X, 88.

New York and Montana Iron Mining and Manufacturing Co., act to enable purchase of lands by, vetoed, VI, 416.

New York City:

- Act to authorize New York and New Jersey Bridge Companies to construct bridge across Hudson River at, vetoed, IX, 480.
- Ancient obelisk presented to, by Egyptian Government, VII, 568, 612.
- Branch mint in, recommended, IV, 502, 557, 650.
- Centennial celebration of inauguration of President Washington to be held in, VIII, 786.
- Proclamation regarding, IX, 18.
- Custom-house in—
 - Affairs of, investigated, IV, 99, 154; VII, 471.
 - Expenses of, referred to, IV, 157.
 - Report of commissioners referred to, IV, 152, 161; VII, 459.
- Authority for instituting investigation demanded, IV, 99.
- Reply of President, IV, 99.
- Officers of, suspended and reasons therefor, VII, 511.
- Regulations governing appointments and promotions in, VII, 550; VIII, 572.
- Report on, discussed, VII, 636.
- Dock at, about completed, V, 133.
- East River at, appropriation for removal of Flood Rock in, recommended, VIII, 201.
- Maltreatment of passengers and seamen on ships plying between Aspinwall and, referred to, VI, 212.
- Navy-yard at, new boiler for, recommended, VIII, 94.
- Post-office in, rules governing appointments and promotions in, VII, 555.
- Referred to, VII, 636.
- Provision for accommodation of United States courts in, discussed, V, 299.
- Provision for defense of, I, 459.
- Steamship line between Havre and, referred to, IV, 158, 320.
- Subtreasury in, regulations governing appointments and promotions in, VII, 550.

New York Harbor:

- Appropriation for removal of Flood Rock in, recommended, VIII, 201.
- Naval parade to be held in, IX, 325.
- New buildings for recruiting service at, referred to, VIII, 77.
- Statue of Liberty Enlightening the World to be placed on Bedloes Island in. (See Liberty Enlightening the World.)

New York Indians:

- Cession of lands for benefit of, II, 564.
- Removal of, discussed, III, 561.
- Treaty with, III, 277, 467, 512, 561; VI, 193, 608, 699.
- Withdrawn, VI, 469.

New York Journal of Commerce, spurious proclamation printed in, orders regarding, VI, 237.**New York World, spurious proclamation printed in, orders regarding, VI, 237. —****New Zealand:**

- Sequestration of lands in, claimed by William Webster referred to, VII, 373.
- Titles to lands in, claimed by American citizens referred to, VIII, 594.

Newbern (N. C.), Capture of.—After securing Roanoke Island Burnside proceeded to the execution of another clause of his orders by advancing upon Newbern. Mar. 14, 1862, he landed a force of men on the banks of the Neuse River, 18 miles below the city. They advanced to within 5 miles of the

place, when they encountered a redoubt, which was taken by assault. The bridge over the Trent, a tributary of the Neuse, was burned by the Confederates as they retreated. With the capture of Newbern 46 heavy guns, 3 batteries of light artillery, and a large amount of stores fell into Burnside's hands. The Federal loss was 90 killed and 466 wounded. The Confederate loss was 23 killed, 58 wounded, and about 2,500 prisoners.

Newburg Addresses.—There were many things to criticize and much to complain of in the conduct of the Revolutionary War, but heroic achievement and devotion to the cause of freedom, as a rule, overshadowed the jealousies of officers and the complaints of men. Gen. Horatio Gates had always been a rival of Washington for command of the Army, and frequently conspired against the latter's popularity. In 1783, while Washington's army was encamped at Newburg, two anonymous appeals were issued to the officers, urging them to hold a meeting to consider the question of the money due them by Congress. The appeals were written by Capt. Armstrong, of Pennsylvania, and were supposed to have been instigated by the Gates faction. Washington immediately denounced the meeting as subversive of discipline and called a regular meeting of the officers to consider the matter. Gates was placed in the chair. Washington's friends carried motions characterizing as "infamous proposals" the suggestions of the Newburg addresses, and furthermore declaring unshaken confidence in Congress.

Newcomb, Frank H., thanks of Congress to, recommended, X, 77.

Newcomb, Simon, report of, on improvements in astronomical observatories, etc., referred to, VIII, 203.

Newell, F. H., mentioned, X, 653.

Newfoundland:

Certain articles of treaty of Washington extended to, VII, 273, 289.

Commercial intercourse with, referred to, V, 334.

Importsations from, proclamation removing duties on, V, 389.

Postal convention with, VII, 249.

Reciprocity with, X, 535.

Newhard, Jacob, act granting pension to, vetoed, VIII, 721.

Newport, Vt., privileges of other ports granted to, by proclamation, VI, 227.

Newspapers, transportation of:

Referred to, I, 128, 132.

Repeal of tax on, recommended, I, 142.

Nez Percé Indians.—The leading tribe of the Shahaptian stock of Indians. They are also known as the Chopunnish, Nimapu, Shahaptan, and Sahaptin. They were found by Lewis and Clark in 1804 inhabiting the country now comprised in western Idaho, northeastern Oregon, and southeastern Washington, and along the Columbia and Snake rivers. They were good horsemen, but knew nothing of agriculture. The Nez Percés were always warlike. They derive their name from their custom of piercing the flesh of the nose for the reception of rings and ornaments. In 1877 the Nez Percés went to war with the whites in a vain attempt to defend their possessions. During this war Chief Joseph and White Bird

Nez Percé Indians—Continued.

gave orders to their people not to molest noncombatants, including women and children. Oct. 1 Joseph and 500 of his followers were captured by United States soldiers. They now number about 1,500 on the Nez Percé Reservation, in Idaho.

Nez Percé Indians :

Campaign against, referred to, VII, 472.

Relief of, bill for, VIII, 150, 193.

Treaty with, V, 381; VI, 202, 695.

Nez Percé War. (See Indian Wars.)

Niagara, The, employed to return negroes to Africa, V, 527.

Niagara Falls:

American victory on Canadian side of, I, 548.

Attack of American forces upon British troops near, unsuccessful, I, 516.

Ship canal around, discussed, VII, 196.

Nicaragua.—One of the six Central American Republics. It is bounded on the north and northwest by Honduras, on the east by the Caribbean Sea, on the south by Costa Rica, and on the west by the Pacific Ocean. It is traversed from southeast to northwest by a depression including the San Juan River and Lakes Nicaragua and Managua. This was the route proposed for the Nicaragua Canal. The province of Yelaya on the eastern coast is under the dominion of the savage

² Mosquito King who is under the protection of Great Britain. Earthquakes are numer-

²ous and violent in the country and there are

²many active volcanoes. The inhabitants are

²Spanish creoles, Indians, and negroes. The

²language is Spanish and the State religion is

²Roman Catholic. The chief products of

²the country are coffee, hides, cabinet woods,

²figs, fruits, and gold. Silver mining, once

²an important industry, has been almost

²entirely abandoned. By the constitution

²amended in 1896 the chief executive is a

²President, chosen for 4 years, and the Con-

²gress consists of a single chamber of 40

²members elected by universal suffrage. Co-

²lumbus is situated on the eastern coast of Nic-

²aragua in 1502, and the western coast was

²first explored by Gil Gonzalez Davila in

²1521-22. Until 1821 it was a province of Gua-

²temala. Independence was at that time

²proclaimed, and from 1823 to 1839 Nicaragua

²was a State in the Central American Confed-

²eration. It has been an independent Repub-

²lic since 1847. During 1855-56 the filibuster

²Walker held a part of the country. Civil

²Wars are common and greatly retard the

²growth of the country. Nicaragua has an

²area of about 49,000 square miles and a popu-

²lation estimated in 1900 at some 300,000.

Nicaragua (see also Mosquito Indian strip):

²Adventurers undertake to establish govern-

²ment in, V, 201.

²American citizens in, V, 517.

²First uprisings in, V, 517.

²Flag of, V, 202.

²French and British in, V, 517.

²Guatemala and Nicaragua, V, 517.

²Independence of, V, 517.

²Intervention in, V, 517.

²Intervention in, V, 517.

²Intervention in, V, 517.

²Intervention in, V, 517.

²Intervention in, V, 517.

²Intervention in, V, 517.

²Intervention in, V, 517.

Survey of port and river San Juan to be made, VI, 243.

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British troops landed at Bluefields. (See Mosquito Indian Strip.)

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Correspondence regarding, transmitted, V, 186, 361.

Diplomatic relations with, discussed, V, 415; VII, 610; X, 39, 202.

Distracted condition of, referred to, V, 336, 372, 414.

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Discussed, V, 447, 466, 949.

Proclamation against, by President—

Buchanan, V, 496.

Pierce, V, 388.

Referred to, V, 470, 486.

Forfeiture of concessions of, to Nicaragua Canal referred to, IX, 528.

Fugitive criminals, convention with, for surrender of, VII, 113, 146.

Grant of exclusive right of transit over territory of, to Europeans referred to, VII, 33.

Greytown—

Bombardment of, and reasons for discussed, V, 281.

Claims arising out of, V, 464, 518.

Complaints of foreign powers regarding, V, 284.

Vessels from, duties on, suspended by proclamation, VIII, 285.

Measures for protection of American citizens and property in, recommended, V, 517, 538, 569, 650.

Minister of, to United States received, V, 373.

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Ministers from two contending parties in, not received by United States, V, 415.

Mosquito Indian Strip, affairs of, discussed. (See Mosquito Indian Strip.)

Negotiations with, transmission of information regarding, refused, V, 154.

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Report of T. C. Reynolds on, transmitted, VIII, 531.

Revolutions in, discussed, IX, 438; X, 207.

Rupture with Costa Rica amicably settled, X, 100, 201.

Tariff laws of, evidence of modifications of, proclaimed, IX, 263.

Discussed, IX, 312.

Transit way across, discussed and measures for protection of, recommended, V, 280, 368, 414, 515, 538, 569, 650. (See also Nicaragua Canal.)

Treaty regarding, between United States and—

Honduras, V, 585.

Nicaragua, V, 516; VIII, 238, 256.

Treaty and negotiations with, regarding Nicaragua Canal. (See Nicaragua Canal.)

Treaty of, with—

France, V, 590.

Great Britain, V, 639.

Treaty with, transmitted and discussed by President—

Arthur, VIII, 238, 256.

Nicaragua—Continued.

Buchanan, V, 569, 577.

Fillmore, V, 66.

Grant, VII, 113, 146.

Johnson, VI, 581, 687.

Lincoln, VI, 72.

Pierce, V, 337, 350.

Taylor, V, 33.

Ratification of, discussed, VI, 72.

Failure of, referred to, V, 583.

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Discussed, VIII, 327.

Vessels of—

Discriminating duties on, suspended by proclamation, VI, 215.

Duties on vessels from San Juan del Norte suspended by proclamation, VIII, 285.

Nicaragua Canal.—A proposed ship canal across the Republic of Nicaragua to connect the Atlantic and Pacific oceans. As early as 1522 Lake Nicaragua was entered from the western coast and explored by Spanish navigators. In 1550 Antonio Galvao, a Portuguese, proposed 4 routes for a ship canal across the Isthmus, one by way of Lake Nicaragua and the San Juan River. Later surveys were made by the Spanish and Central American Governments. In 1850 Col. O. W. Childs surveyed a canal route from Lake Nicaragua to the Pacific. More complete surveys were made for the United States in 1872-73 and 1885, and the cost of construction was variously estimated at from \$40,000,000 to \$140,000,000. The Nicaraguan Government made concessions to Americans for constructing a canal in 1849 and 1880 and to a Frenchman in 1858, but they all lapsed without results. In 1884 a treaty was signed for the construction of a canal by the United States, but the Senate refused to ratify it. In 1887 a new concession was granted by Nicaragua and confirmed by Costa Rica. A company was immediately formed and chartered by the United States, work was begun but ceased, in 1892 for lack of funds and finally in 1893 the company was placed in the hands of a receiver. President McKinley in 1899 appointed a commission to report on the question of the best route for an interocean canal and in 1901 a report was presented advising the Nicaragua route, mainly on the ground of the difficulty of acquiring rights and control in Panama. In 1900 the House passed a bill providing for the construction of a Nicaragua Canal but the senate refused to pass it. Another bill of a similar character passed the House in January, 1902, but before it went to the Senate, a report was received from the Canal Commission recommending the Panama route and action was taken upon this report. Under the act authorizing the construction of the Panama Canal (q. v.), the President is instructed to negotiate with Nicaragua if the Panama project should fail. It is now, however, extremely unlikely that a canal will be built along the Nicaragua route.

Nicaragua Canal (see also Panama Canal): Clayton-Bulwer treaty for protection of, discussed, V, 42, 81, 370, 410, 586.

Construction of, referred to, VIII, 535; IX, 109, 188.

Importance of, discussed, but Government aid to, not recommended, V, 15.

Report on, transmitted, IX, 665.

Contract, of Interoceanic Canal Co. discussed, IX, 35.

Control of, should not be held by one nation alone, V, 16.

Correspondence regarding, referred to, VIII, 535.

Discussed by President—

Arthur, VIII, 256.

Buchanan, V, 585.

Cleveland, IX, 438.

Fillmore, V, 81.

Harrison, Benj., IX, 35, 109, 188, 317.

Hayes, VII, 569.

McKinley, X, 40, 101, 141, 208.

Pierce, V, 368.

Taylor, V, 15, 33, 42.

Forfeiture of Nicaraguan concessions to, referred to, IX, 528.

Government aid to, recommended, IX, 189, 317.

Report on, transmitted, IX, 753.

Right of way for, referred to, V, 31.

Should be accomplished under American auspices, IX, 438.

Treaty regarding, with—

Great Britain, discussed, V, 42, 81, 410, 586.

Nicaragua (see also Nicaragua)—

Discussed, V, 33, 65; VIII, 238, 256.

Withdrawn, VIII, 303, 327.

Nicaragua Canal Commission discussed, X, 101, 141.

Nicaragua, The, indemnity to owners of, X, 678.

Nicholas, Emperor. (See Russia.)

Nichols, Edward F., thanks of Congress to, recommended, VI, 76.

Nicks, John, removal of, from office, explanation regarding, II, 531.

Nico, Eeonchatta, claims of, for losses sustained, III, 466.

Nicoll, Francis H., memorial of, presented to Congress, II, 474.

Niles, Mr., mentioned, V, 140.

Ninety-Six (S. C.), Siege of.—Immediately after the surrender of Charleston (May 12, 1780) Clinton sent Lieut. Conger up the Saluda to Ninety-Six, a village in South Carolina about 75 miles from Columbia. May 21, 1781, a part of Gen. Greene's army laid siege to the place. Kosciuszko planned the approaches and the condition of the garrison had become critical, when, on June 20, the siege was raised on the approach of Lord Rawdon with the flank companies of 3 regiments.

Niobrara Forest Reserve, proclaimed, X, 473.

Nipmuc Indians.—A general name for the Indians of several tribes inhabiting in early colonial days south central Massachusetts and extending into Connecticut and Rhode Island. The majority of the Nipmucs did not at first join Philip in his war against the colonists, but were active against the English during the struggle in Connecticut in 1675. In January, 1676, the remnants of Philip's tribe, with the Narraganset, the Quaboag, and River Indians, joined the Nipmucs, and on the defeat of Philip fled north and west. Eliot's translation of the Bible is in the Natic dialect of the Nipmuc language. The word Nipmuc means "fresh-water fishing place."

Nipsic, The, disabled at Samoan Islands, IX, 44.

Niter, appropriation for improvement in manufacture of, recommended, V, 424.

- No Man's Land.**—A small Island 3 miles southwest of Martha's Vineyard, Mass., to which it belongs. The term was also applied to a strip of land ceded by Texas to the United States in 1850. It lies between lat. 36° 30' and 37° north and long. 100° and 103° west. It was not included under any government, though often called part of the Indian Territory. In 1890 it became part of Oklahoma and is now known as Beaver County.
- Noah, M. Mordecai,** surveyor of customs, re-nomination of, II, 480.
- Nolan, Katie A.,** bill for relief of, vetoed, X, 590.
- Noland, N. B.,** claims of, against Peru, IX, 667.
- Nominating Conventions.** (See Conventions, Nominating.)
- Nominations.**—In politics an act of designation to office, the ratification of which depends upon another person or body of persons. The President nominates to the Senate candidates for high Federal offices, and makes the appointment only after approval. The head of an Executive Department nominates to the President those whom he desires as his subordinates in the higher official positions. A national, State, city, county, or town convention of a political party nominates its candidates for office in anticipation of election.
- Nominations.** (See Executive Nominations.)
- Nonimportation Agreement.**—In 1765 the merchants of New York and Boston unanimously agreed to order no new merchandise from England, and to countermand old orders. This was done in retaliation for the passage of the Stamp Act by Parliament. The agreement was strictly observed until 1770, when only tea was prohibited. The members of the Continental Congress signed a nonimportation agreement in 1775.
- Nonintercourse Act.**—In consequence of the interference with American commerce by vessels of France and England, who were then at war, Congress in 1807 passed the embargo act prohibiting foreign commerce. This was found to work unnecessary injury to American shipping interests, and in 1809 it was repealed and the nonintercourse act substituted. It forbade the entrance to American ports of public or private British or French vessels, all commercial intercourse with France or Great Britain, and the importation after May 20, 1809, of all goods grown or manufactured in the two countries or their colonies. The act was to continue until the next session of Congress, but was revived by acts of June 28, 1809, May 1, 1810, and Mar. 2, 1811.
- Noo-whá-há-Indians,** treaty with, V, 379.
- Nook-wa-cháh-mish Indians,** treaty with, V, 379.
- Norfolk, Va.:**
 Blockade of port of, removed by proclamation, VI, 230.
 Referred to, VI, 245.
 British officers treated at hospital at, VI, 203.
 Navy-yard at, referred to, IV, 462.
 Surrender of, referred to, VI, 112, 114.
 Vessels entering and leaving port of, order regarding, VI, 124.
- Norfolk, (Va.), Burning of.**—Lord Dunmore, the royal governor of Virginia, assumed military control of Norfolk in November, 1775. He was defeated in an effort to dislodge some Virginia and Maryland militia who had taken up a position near the town. He thereupon embarked on a British vessel which lay in the Elizabeth River. Col. Woodford, with the Second Virginia Militia, and Col. Howe, with 1 regiment from North Carolina and 2 companies of Maryland militia, occupied the town. On Jan. 1, 1776, Dunmore began a bombardment, and sent ashore a party who set fire to the town. Its destruction was completed by the Americans to prevent its becoming a shelter for the British.
- Norfolk, (Va.), Surrender of.**—The movement of the Federal Army up the peninsula of Virginia, in May, 1862, led to the withdrawal of the Confederate force from Norfolk and to the destruction of the ironclad *Merrimac*. This left the James River open to navigation. An expedition was sent out from Fortress Monroe, under Gen. Wool, May 10, to take possession of Norfolk. It was turned over by the mayor without a struggle.
- Norman, Mary,** act granting pension to, vetoed, VIII, 453.
- Norris, P. W.,** petition of, for compensation for services rendered transmitted, VIII, 82.
- Norsemen.**—In the sagas or accounts of Scandinavian heroes the vikings of Norway are represented as having visited the coast of America as early as 861 A. D. The narratives of the early voyages of the Northerners to America are more or less intermingled with fiction. Enough has been verified, however, to warrant some reliable historians giving credence to the more likely part of their claims. We are told that Norsemen had established a settlement in America in 875 A. D. (probably in Iceland, visited by Nadodd 12 to 15 years previously), and that Gunnbjörn, a Norse navigator, sighted land farther west. Eric the Red discovered and named Greenland in 982, and 3 years later made a second voyage to the new country. During the same year an expedition under Bjarni sailed from Iceland for Greenland, but was driven south by a storm and sighted land at Newfoundland and at Cape Cod or Nantucket. Thence he returned to Greenland. In the year 1000 Leif, son of Eric the Red, sailed with one ship and 35 men in search of the land seen by Bjarni. He touched on the coast of Labrador and, journeying southward, stopped for the winter near the site of the present city of Boston. Leif called the place Vinland, from the abundance of grapes found. This seems to be the earliest authentic account of Norse discoveries in America. Thorvald, Leif's brother, visited Vinland in 1002, wintered near Mount Hope Bay, R. I., and in the spring of 1003 sent a party of his men to explore the coast, probably as far south as Cape May. In 1004 Thorvald was killed near Boston by Skraelings (the Icelandic name for the aboriginal Americans), and his companions returned to Greenland. About 1007 or 1008 Thorfinn Karlsefne sailed from Greenland with 3 ships and 160 persons. He landed at Rhode Island and spent 3 years in Vinland. Here a son was born to Thorvald, from whom Albert Thorvaldsen, a Danish sculptor living at Copenhagen in the latter part of the eighteenth and the early part of the nineteenth century, was able to trace direct descent. A full account of these early voyages is preserved in the "Codex

Norsemen—Continued.

Flatöiensis," written in 1387-1395, and found in a monastery on the west coast of Iceland. The latest tidings of Vinland were received in 1347, and communication with Greenland ceased about 1400. Before Columbus was born European navigators had journeyed westward and touched land, and several maps of the Atlantic Ocean had been made. Prior to 1470 Columbus had visited Iceland, and it has been suggested that he there learned of the Western Continent from the Norse navigators.

North Ann Crossing (Va.), Battle of.—Proceeding southward after the battle of Spottsylvania, Grant's army arrived at the North Ann River May 23, 1864. Warren, whose corps was on the right, crossed the river at Jericho, Hancock at a point 4 miles below, and the Sixth Corps at Jericho. Lee meantime had retired to a position south of the North Anna, and his left wing rested on the river at a point between the two sections of Grant's army. Burnside's corps was unable to cross the river. Lee's position was impregnable, and Grant was compelled to withdraw his army to the north side of the river after a loss of 1,607 in killed and wounded. May 27, having been rejoined by Sheridan, the Army of the Potomac moved toward the Pamunky River.

North Carolina.—One of the thirteen original States; nicknames, "The Tar State," "The Tar-Heel State," and the "Old North State;" motto, "Esse quam videri" ("To be rather than to seem"). It extends from lat. 33° 50' to 36° 33' north and from long. 75° 27' to 84° 20' west. It is bounded on the north by Virginia, on the east and southeast by the Atlantic Ocean, on the south by South Carolina and Georgia, and on the west by Tennessee (separated by the Smoky and other ranges of mountains). The surface is mountainous in the west, rolling or gently undulating in the center, and toward the eastern coast or lands bordering on the Albemarle Pamlico sounds generally level. The leading occupation is agriculture; the chief products corn, cotton, tobacco, wheat, potatoes, timber, and a larger yield of rice than any state except Texas. There are also mines of gold, mica, iron, and copper, and in certain counties manufacturing of cotton, tobacco, etc. Unsuccessful attempts at colonization were made by Sir Walter Raleigh in 1584-1587. Scattering settlements were made prior to 1663, probably as early as 1653. The territory was granted to proprietors in 1663 by Charles II. The first two colonies are known in history as the Albemarle and the Clarendon. In 1669 a constitution was introduced modeled by the philosopher, John Locke, upon principles of a landed aristocracy and feudal service. The constitution was not a success and was abandoned after twenty-five years. Citizens of North Carolina passed a set of resolutions in 1775 similar to the Declaration of Independence. (See Mecklenburg Declaration.) It was the first colony to instruct its delegates in Congress to vote for independence. The State seceded from the Union May 20, 1861, and was readmitted by act of Congress June 25, 1868. Area, 52,250 sq. miles; population (1905) 2,000,000, estimated, (1900) 1,802,810.

North Carolina (see also Confederate States):

Admission of, into United States referred to, I, 65, 67, 69.

Branch mint in, referred to, III, 164, 276.

Ceding of jurisdiction of lands to the United States by, I, 72, 113, 175.

Clerks of Federal courts and United States marshal in, referred to, VI, 463.

Constitution of, referred to, VI, 633.

Constitution of United States—

Evidence of ratification of, amendment to, by, I, 70, 76, 190.

Fourteenth amendment to, ratified by, proclamation announcing, VI, 656.

Governor of, referred to, I, 72.

Jails in, use of, granted to United States, I, 111.

Judges, United States, in, opinion of, regarding pensions, I, 133.

Lands ceded to United States by, referred to, I, 72, 113, 175. (See also Enc. Art., Franklin.)

Lands, public, X, 776, 800.

Light-house—

Lands ceded to United States for erection of, I, 111.

Lands, jurisdiction of, for, ceded to United States, I, 190.

Military governor of, referred to, VI, 80.

Obstruction to laws in, proclamation regarding, VI, 545.

Copies of, for executive clerks, VI, 558.

Provisional governor for, appointed and restoration of, into Union discussed, VI, 312.

Survey of coast of II, 67, 111.

Unlawful combination in, discussed, VII, 117, 118.

North Carolina, The:

Seizure and imprisonment of crew of, by Spanish authorities referred to, V, 228.

Sent to Mediterranean Sea, II, 257.

North Dakota.—One of the United States;

motto, "Liberty and Union, now and forever, one and inseparable." It extends from lat.

46° to 49° north and from long. 96° 30' to 104° 5' west. It is bounded on the north by

the Dominion of Canada, on the east by Minnesota, on the south by South Dakota,

and on the west by Montana. Its surface is generally undulating and level. The principal

industries are agriculture and stock-raising. North Dakota heads the States in its yield

of flax seed and it also produces large quantities of wheat, corn, oats, barley, and

hay. With the exception of flour and grist milling products the entire manufacturing

produce is consumed at or near the point of production. The coal mines were opened

in 1902 and constitute a rapidly developing industry. It was first settled at Pembina by

French traders in 1780. The Territory of Dakota, comprising the present States of

North and South Dakota, was organized from Nebraska Territory by act of Mar. 2, 1861.

It was divided on the forty-sixth parallel and the upper portion admitted to the Union

Nov. 2, 1889 (IX, 20). It has an area of 79,795 sq. miles and a population (1900)

of 310,146.

North Dakota:

Admission of, into Union—

Discussed, IX, 50.

Proclaimed, IX, 20.

Lands in—

Opened to settlement by proclamation, IX, 272.

North Dakota—Continued.

Set apart as public reservation by proclamation, IX, 144.

Lottery in, efforts to secure charter for, discussed, IX, 80.

Unlawful combinations in, proclamation against, IX, 50.

North Point (Md.), Battle of.—After burning Washington in 1814 Gen. Ross withdrew to Admiral Cockburn's fleet and the invaders ran up the Chesapeake Bay to the mouth of the Patapsco River. On the morning of Sept. 12, 1814, the British forces 9,000 strong, were landed at North Point 12 miles from Baltimore, with provisions for 3 days and 80 rounds of ammunition per man. Baltimore was defended by about the same number of troops under Gen. Samuel Smith. Hearing of the landing of the British, he sent Gen. Stricker with 3,200 men to oppose their advance. Gen. Ross was killed in a preliminary skirmish. The battle was carried on for 4 hours, when the Americans fell back toward the city and the British bivouacked on the field.

North Star, The. (See *Rodgers, The.*)

Northeastern Boundary.—By the treaty of 1783 the northeastern boundary of the United States was defined as extending from the source of the St. Croix River due north to the highlands or watershed between the Atlantic and St. Lawrence systems, thence along those highlands to the northwesternmost head of the Connecticut River. There was a continual dispute over this boundary, and the claims of Americans and Canadians were pressed so vigorously as to lead to preparation for hostilities. The matter was referred to arbitration. In 1831 the King of the Netherlands, as arbitrator, made an award which neither Great Britain nor the United States would accept. Finally by the Webster-Ashburton treaty of 1842 the present boundary was agreed upon, not far from that suggested by the Dutch King. The United States secured about seven-twelfths of the disputed territory and Great Britain five-twelfths.

Northeastern Boundary between United States and Great Britain:

Amicable settlement of, discussed, III, 530, 594, 603.

Appropriation for survey of, necessary, III, 628.

Arbitration committed to citizen of Maine, II, 444.

Ashburton treaty discussed. (See *Ashburton Treaty.*)

Commissioners appointed to fix, I, 196, 199, 252, 274; III, 604.

Disagreement in decision of, II, 250, 381.

Report of, III, 629; IV, 92, 112, 171, 234.

Convention with Great Britain regarding, I, 359, 363; II, 392.

Conventional agreement to be arranged, III, 594.

Correspondence in regard to, III, 347, 405, 431, 470, 521, 568, 574, 581, 595; IV, 92, 112, 170.

Referred to, III, 229, 567; IV, 428.

Depredations committed on disputed territory, III, 516.

Correspondence regarding, III, 521, 568, 574.

Discussed, I, 72, 73, 199, 252, 274, 278; II, 593; III, 20, 97, 149, 236, 374, 603; IV, 78, 194.

Excitement growing out of, partially subsided, III, 603.

Imprisonment of American citizens charged with trespassing, II, 397, 403, 424, 560.

Release of, II, 547.

Joint commission for survey of—

Appointment of, referred to, III, 485.

Report of, IV, 171.

King of Netherlands selected as arbitrator, II, 408.

Award of, referred to, II, 547, 559, 560, 563.

Great Britain agrees to, II, 560.

Protest of United States minister against, II, 559.

Maps regarding, transmitted, II, 394.

Proposition of United States for settlement of—

Declined by Great Britain, III, 149.

To be acceded to by Great Britain, III, 594.

Referred to, II, 356, 380, 507, 570, 593, 637; III, 127, 229, 480, 512, 567, 579, 588; IV, 101.

Reports of commissioners on, III, 629; IV, 92, 112, 171, 234.

Resolutions of Maine legislature regarding, II, 563.

Survey of, referred to, III, 628; IV, 78, 92.

Treaty regarding, discussed, IV, 162, 194.

Northern Cheyenne Indians. (See *Cheyenne Indians.*)

Northwest Territory.—The portion of the United States known in history as the Northwest Territory comprised all the country lying between the Ohio River, the Mississippi River, and the Great Lakes, immediately west of the original States, and now forming the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin. The original States severally laid claim to this territory by their charters, which granted possession from ocean to ocean. New York ceded her claims to this region to the General Government in 1782, and was followed by Virginia in 1784, Massachusetts in 1785, and Connecticut in 1786. The latter State, however, retained a small tract as the foundation for her school fund. This became known as the Western Reserve. Congress in July, 1787, passed an ordinance for the government of this territory, and to the wise measures incorporated into that law the States formed from the territory are indebted for much that is wise and judicious in their constitutions. It is claimed by some that the foundations for future national greatness were laid by the manner in which Congress dealt with the question of territorial government at this time. A clause forbidding slavery after 1800 was at first voted down, but afterwards was adopted. The ordinance provided that no land should be taken up until it had been purchased from the Indians and offered for sale by the United States; no property qualification was to be required of electors or elected; a temporary government might be established until the male population of the territory reached 5,000, then a permanent representative government would be permitted, with a Representative in Congress entitled to debate but not to vote. When the inhabitants of any one of the five divisions of the territory reached 60,000 it should be admitted as a State, these States to remain forever a part of the United States, pay their portion of the Federal debt, and in their government uphold republican forms and prohibit slav-

Northwest Territory—Continued.

ery; but fugitive slaves were to be surrendered. Arthur St. Clair was governor from 1788 to 1802.

Northwest Territory:

Government established in, and recommendations made to enable the governor and secretary to visit the posts in, I, 198.

Northwestern Boundary.—The territory bounded on the north by lat. $54^{\circ} 40'$, on the east by the Rocky Mountains, on the south by lat. 42° , and on the west by the Pacific Ocean has been variously claimed by Russia, Spain, Great Britain, and the United States. Russia's claim rested for the most part upon occupation by fur traders, and was settled by a treaty of Jan. 11, 1825, under the terms of which the United States were to make no settlements north of lat. $54^{\circ} 40'$ and Russia none south of that latitude. England made a treaty with Russia on the same terms. By the treaty which ceded Florida in 1819 the Spanish claims were confined to the south of lat. 42° . This left the territory between 42° and $54^{\circ} 40'$ to the Americans and English. Great Britain had no claim by discovery. The claim of the United States rested upon the voyage of Gray up the Columbia River in 1792 and the explorations of Lewis and Clark through the Rocky Mountains and the Oregon country in 1805 and 1806 under the orders of Jefferson. By the treaty of Oct. 20, 1818, the entire country west of the Rocky Mountains was to be opened to both countries for 10 years, and at the end of this period joint occupation for an indefinite time was agreed upon. This arrangement produced much dissatisfaction and was made a political issue in the United States in 1844. (See "Fifty-four Forty or Fight.") After considerable negotiation lat. 49° was agreed upon (in 1846) as the boundary from the Rocky Mountains to the channel between Vancouver Island and the mainland. (See also San Juan de Fuca Explorations.)

Northwestern Boundary between United States and Great Britain:

Commission for settlement of, recommended

and referred to, V, 277, 333; VII, 35, 102.

Convention for adjustment of, II, 392; IV, 393, 449; VI, 179.

Concluded and signed, IV, 452.

Exchange of ratifications referred to, IV, 457.

Correspondence regarding, II, 324.

Referred to, IV, 274.

Discussed, II, 136, 356, 380, 390, 570; III, 397, 398, 467; IV, 190, 210, 257, 274, 327, 337, 361, 392, 427, 634; V, 561, 666; VI, 696, 701.

Emperor of Germany chosen as arbitrator, VII, 143.

Award of, VII, 185.

Thanks of United States tendered, VII, 186.

Final settlement of, VII, 403, 428.

Joint commission for marking, VII, 187.

Report of, VII, 237.

Marking and tracing of, recommended, V, 119, 208.

Settlement of—

By arbitration, VII, 185.

Recommended, V, 667; VI 12.

Proposition regarding, by—

Great Britain—

Declined, IV, 393.

Referred to, IV, 455.

Submitted, IV, 449.

Accepted, IV, 452.

Ratification of, referred to, IV, 457.

United States declined, IV, 258, 393.

Referred to, IV, 455.

Referred to, IV, 634.

Treaty regarding, VI, 696, 758.

Warlike preparations made by Great Britain on account of, IV, 427.

Norwalk Harbor, Conn., survey of, referred to, II, 480.

Norway.—The northernmost country of Europe, forming with Sweden the Scandinavian Peninsula. It is bounded on the north by the Arctic Ocean, on the east by Russia and Sweden, on the south by the Skager Rack, and on the west by North Sea and the Atlantic and Arctic oceans. The coast line is deeply indented by fiords. The country generally is elevated and mountainous. Among the leading industries are fisheries and lumber manufacture and trade. There are mines of silver, copper, iron, and nickel. The Government is a limited hereditary monarchy. The King and a ministry form the executive council, and the legislative power is vested in the Storting or Parliament, consisting of an upper and a lower house. The Kingdom was consolidated under Harold the Fair-Haired in the latter part of the ninth century. Christianity was introduced toward the close of the tenth century. The established religion is Lutheran. The country was united with Denmark in 1389 and passed to Sweden in 1814. The Norwegian, however, declared their independence and elected Charles, duke of Holstein, as their King, he soon abdicated and the people then accepted Charles XIII of Sweden who recognized Norway as a free and independent state united to Sweden for the common good of both countries. In 1905 the Norwegians deposed King Oscar II and dissolved the union, electing Prince Charles of Denmark to the vacant throne, under the title of Haakon VII. The country has an area of 124,130 sq. miles and a population (1900) of 2,240,032.

Norway, reciprocity with copyright with, XI, 1028. (See also Sweden and Norway.)

Nottage, Mary J., act granting pension to, vetoed, VIII, 440.

Nourse, Joseph E., publication of second edition of Second Arctic Expedition recommended by, VIII, 79.

N'Quentl-mā-mish Indians, treaty with, V, 379.

Neustra Señora, The, seizure of, and claims arising out of discussed, VI, 597.

Nullification.—The general meaning of nullification is the act of invalidating or making void. In American politics it is almost exclusively applied to the doctrine set forth by John C. Calhoun and his friends in the South Carolina controversy with the Federal Government, 1828-1833. This doctrine asserted the right of any State to declare the unconstitutionality of any United States law, though it should have been enacted in the proper manner and held to be constitutional by the Supreme Court of the United States. It was further claimed that any attempt to enforce such law in a State which had refused to acknowledge its validity would justify it in at once leaving the Union. The immediate cause of this declaration of princi-

Nullification—Continued.

ples was that the existing tariff law bore unjustly, so it was claimed, on the nonmanufacturing and raw-material-producing States of the South. The arguments in favor of nullification were mainly based upon language used by Jefferson and Madison in the Kentucky and Virginia resolutions of 1798 and 1799 in regard to the alien and sedition laws. Here it was asserted that the General Government was not "the final or exclusive judge of the powers delegated to itself, but that, as in all other cases of compact among powers having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress." Senator Hayne, of South Carolina, was the first to advocate this doctrine in Congress. On the advice of Calhoun the governor of South Carolina called a convention, and an ordinance of nullification was passed on Nov. 19, 1832. This ordinance declared the Federal tariff law "null and void" and authorized the citizens to refuse payment of duties under it. It also denied the right of the Supreme Court of the United States to pass upon the nullification ordinance. The legislature was on the point of enacting a bill in accordance with this ordinance when the necessity was partly obviated by the passage of Clay's compromise measures (q. v.) in 1833. The attempt to interfere with the execution of Federal laws was met by President Jackson's prompt instructions to the revenue officers at Charleston, his proclamation of Dec. 10, 1832 (II, 640), and his special message to Congress on the subject (II, 610). Mar. 3, 1833, a new tariff bill was passed which gave satisfaction to the nullifiers, and on Mar. 16, a State convention of South Carolina repealed the ordinance of nullification.

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Nye, James W., governor of Nevada Territory, letter of, transmitted, VI, 204.

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Oakes, D. C., treaty with Indians concluded by, VI, 465.

Oath.—A solemn appeal to the Supreme Being in attestation of the truth of some statement or the binding character of some covenant, undertaking, or promise. In point of law an oath is a solemn declaration which is necessary as a condition to the filling of some office more or less public or of giving evidence in a court of justice. The Constitution requires that before the President shall "enter on the execution of his office he shall take the following oath or affirmation: 'I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability preserve, protect, and defend the Constitution of the United States.'" The first act of Congress provided for oaths of office. An oath simi-

lar to the foregoing is required of all officers of the executive, legislative, and judicial departments of States and the nation. Congress in June, 1778, directed Washington to administer the following oath of allegiance to the officers of the Army before leaving Valley Forge: "I, [name of office] in the armies of the United States of America, do acknowledge the United States of America to be free, independent, and sovereign States, and declare that the people thereof owe no allegiance or obedience to George III, King of Great Britain, and I renounce, refuse, and abjure any allegiance or obedience to him; and I do—that I will to the utmost of my power support, maintain, and defend the United States against the said King George III, his heirs and successors, and his or their abettors, assistants, and adherents, and will serve the said United States in the office of —, which I now hold, with fidelity according to the best of my skill and understanding." By an act of Congress of Aug. 3, 1861, the oath of allegiance for the cadets at West Point was amended so as to abjure all allegiance, sovereignty, or fealty to any State, county or country whatsoever and to require unqualified support of the Constitution and the National Government. In 1865 oaths of allegiance were required as a condition of pardon of persons who had participated in the rebellion. The oath required of persons appointed to office from the Southern States, declaring that they had in no way aided or abetted the rebellion, was called the "iron-clad oath," and was modified as soon as all apprehension of further difficulty with the South had passed away. The oath administered to jurors entering upon their duties is substantially as follows: "You shall well and truly try the issue between the parties and a true verdict give according to the evidence, so help you God;" and the juror sometimes kisses the New Testament. Witnesses must be sworn in a similar manner, the words being, "The evidence you shall give shall be the truth, the whole truth, and nothing but the truth, so help you God." Witnesses must have sufficient understanding to know the nature of an oath, and on this ground young children are excluded as witnesses. A religious belief was formerly required before an oath could be considered as binding. Several statutes of Congress permit a simple affirmation in lieu of an appeal to the Almighty. Any person having conscientious scruples against oaths now makes a solemn affirmation. Jews are sworn on the Pentateuch, keep on their hats, and conclude their oaths with the words "so help me Jehovah." A Mohammedan is sworn on the Koran. A Chinaman is sworn by breaking a dish on the witness box or beheading a fowl. The form of taking an oath is immaterial, the essential thing being that the witness acknowledge some binding effect derived from his sense of moral obligation to tell the truth. (See also Perjury.)

Oath of Allegiance, army officers directed to subscribe, anew, VI, 18.

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- Obekiah, Benjamin**, act granting pension to, vetoed, VIII, 540.
- O'Brien, Richard**, letter of, regarding bombardment of Tripoli, I, 375.
- Observatories**. (See Meteorological Observatory; Naval Observatory.)
- Ocala Platform**.—The declaration of principles adopted by the National Farmers' Alliance at Ocala, Fla., Dec. 8, 1890. It demanded the abolition of national banks; establishment of subtreasuries to lend money to the people at 2 per cent.; increase of circulation to \$50 per capita; laws to suppress gambling in agricultural products; unlimited coinage of silver; laws prohibiting alien ownership of land, and to permit the ownership of land in actual use only; restricting tariff; Government control of railroads, telegraph, etc.; direct vote of the people for President, Vice-President, and United States Senators.
- Ocean Cables**:
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- Ocean Mail Post-Offices**, establishment of, discussed, IX, 198.
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- O'Donnell, Patrick**, trial, conviction, and execution of, by Great Britain, VIII, 195.
- Oehler, G. F.**, treaty with Indians concluded by, V, 420.
- O'Fallon, Benjamin**, treaty with Indians concluded by, II, 321.
- O'Fallon, James**, armed force levied by, referred to and proclamation against, I, 101.
- Offenses on High Seas**, acts to provide for punishment of, returned, IX, 334.
- Officers, Public** (see also the several officers):
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- Offey, David**, treaty with Turkey concluded by, II, 530.
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Ogden, Peter V., crimes charged against, I, 417.

Ogden, Thomas L., treaty with Indians concluded by, II, 374.

Ogden, Utah, bill to authorize city of, to assume increased indebtedness vetoed, IX, 83.

Ogden vs. Saunders.—An important United States Supreme Court case limiting the operation of State bankruptcy laws. Ogden, of Louisiana, declared upon certain bills of exchange drawn in 1806 upon the defendant Saunders, a citizen of Kentucky, but then living in New York. Saunders pleaded a certificate of discharge under the act of the New York legislature of 1801 for the relief of insolvent debtors. The district court of Louisiana gave judgment for the plaintiff. On a writ of error the case was taken before the Supreme Court of the United States, which decided in 1827 that the power to pass bankruptcy laws did not belong exclusively to the United States, and that the fair and ordinary exercise of that power by the States need not involve a violation of the obligation of contracts, but that State law could not discharge a debt due to a citizen of another State. Justice Johnson delivered the opinion, in which concurred Chief Justice Marshall and Justices Duval and Story.

Ogdensburg (N. Y.), Capture of.—In September, 1812, Gen. Brown was sent to Ogdensburg, N. Y., at the mouth of the Oswegatchie River, to garrison Fort Presentation and attempt the capture of some British stores that were reported as being on the way up the St. Lawrence River. Oct. 2 about 40 British bateaux, escorted by a gunboat, were seen approaching. On the 4th 2 gunboats and 25 bateaux, containing 750 men, started for Ogdensburg. The American force amounted to about 1,200, effective men. After 2 hours of firing the invaders withdrew with a slight loss. No one was injured on the American side. Later Maj. Forsyth was placed in command of the garrison at Ogdensburg. With a party of citizens and militia he crossed over to Elizabethtown, Canada, Feb. 6, 1813, and rescued a number of prisoners held there. In retaliation for this exploit Lieut. Col. McDouell, with about 800 men, crossed the river on the ice Feb. 22, 1813, and after a short engagement gained possession of the town, which they gave over to plunderers.

Ohio.—One of the United States; nickname, "The Buckeye State." Ohio extends from lat. 38° 24' to 41° 57' north and from long. 80° 34' to 84° 49' west. It is bounded on the north by Michigan and Lake Erie, on the east by Pennsylvania and West Virginia (separated by the Ohio River), on the south by Kentucky (separated by the Ohio River), and on the west by Indiana. It is the fourth State in population, the first in value of farms, production of wool, and manufacture of agricultural machinery, and one of the chief manufacturing States. Its chief products are wheat, corn, wool, live stock, flour, pork, coal, iron, salt, butter, cheese, and petroleum. Ohio was first visited by the French under La Salle at the end of the seventeenth century. It was claimed by both the French and English. It was ceded to Great Britain in 1763 and to the United

States in 1783. In 1787 it became part of the Northwest Territory. The first settlement was made at Marietta in 1788. The State was admitted to the Union in 1802. As Virginia was the mother of Presidents in the early period of United States history, so that honor seems to have fallen to Ohio in the later period. It has an area of 41,060 sq. miles and a population (1905) of 4,427,545.

Ohio (see also Columbus; Dayton; Portsmouth):

Boundary of—

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Lands in—

Referred to, II, 264.

Title of United Brethren to, II, 232.

Michigan boundary line dispute with, and the necessity of an early settlement of by Congress, I, 186.

National Guard of, expiration of enlistment of, referred to and thanks of President tendered, VI, 239.

Ratification of fourteenth amendment withdrawn by, VI, 638.

Ohio Companies.—In 1749 George II granted to a band of wealthy citizens of Virginia and Maryland, calling themselves the Ohio Company, a tract of land containing 500,000 acres, lying in the Ohio Valley south of Ohio River. Thomas Lee was the projector of the company, but it was later conducted by Lawrence Washington. The terms of the grant required that 100 families should be established upon the tract, a fort should be built, and a garrison maintained. A number of storehouses were also established. In 1783 the territory east of the Mississippi, north of the Ohio River, and west of Pennsylvania, which before the Revolution had been part of the Province of Quebec and afterwards had been claimed by Virginia, was ceded to the United States, with the proviso that it was to be settled and formed into States. Mar. 1, 1786, Rufus Putnam suggested a second Ohio Company, and 2 days later he and Messrs. Cutler, Brooks, Sargent, and Cushing formed an association and issued 1,000 shares at \$1,000 each in Continental certificates or \$125 in gold. A year afterwards Congress granted certain lots free of charge, and an enormous tract was bought at about 8 or 9 cents per acre in specie. Colonization was immediately begun. Slavery was prohibited. This company had large influence in shaping the ordinance for the government of the Northwest Territory, of which it became a part.

Ohio River:

Canal from Chesapeake Bay to. (See Chesapeake and Ohio Canal.)

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Mode of improving, referred to, II, 633; V, 149.

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Ship canal around Falls of, referred to, VI, 621.

Survey of, appropriation for, II, 199.

Ojibwa, or Chippewa, Indians.—A large tribe of the Algonquian stock of Indians. In the early history of the country their hunting grounds were along the shores of Lake Huron and Superior and across the State of Minnesota into the mountains of Dakota. Their

Ojibwa, or Chippewa, Indians—Continued.

name means "A puckering up," and is variously contended to refer to a puckering of the lips in speaking or drinking, a peculiar seam in the moccasin, and the appearance of the flesh of roasted victims. They were known by the early French explorers as *Saulteurs* ("People of the falls"), having been first met with at Sault Ste. Marie. They were connected in a loose confederacy with the Ottawas and Pottawatomies and known as the Three Fires. After learning the use of firearms they greatly extended their territory by successful wars upon the Sioux, Foxes, and Iroquois. They joined Pontiac and were allies of England in the Revolution. They also participated in the Miami uprising. The Ojibwas ceded lands on Lake Erie in 1805. They again broke out into hostilities in 1812 and by the peace of 1816 relinquished all their lands in Ohio and retreated westward. By 1851 the remainder of the tribe in the United States was west of the Mississippi River. They now number about 30,000 in Canada and the United States, about one-half in each.

Oklahoma.—A territory of the United States; motto, "Labor omnia vincit" ("Labor conquers everything"). It extends from lat. 34° to 37° north and from long. 96° to 103° west. It is bounded on the north by Kansas and Colorado, on the east by Indian Territory, on the south by Texas (separated by the Red River), and on the west by Texas and New Mexico. The Territory was formed in 1890 from the western part of Indian Territory and the public strip called No Man's Land (q. v.). Invasions of the Indian Territory took place in 1879 but the settlers were ordered out by proclamations of President Hayes (VII, 547, 598). Several subsequent invasions of the Territory were made in defiance of Federal law, but all expeditions of settlers were arrested and their towns broken up. Finally delegates of the Creek Nation met at Washington and sold the western half of their domain to the United States Government for \$2,280,857. Congress ratified this agreement Mar. 1, 1889. By proclamation of President Harrison (IX, 15) Oklahoma was opened to settlement at noon Apr. 22, 1889, and during the afternoon of that day 50,000 settlers, who had been encamped on the border, rushed into the Territory, formed a provisional government, and laid out town sites. In 1893 the Cherokee Strip was ceded by the Indians to the Government for \$8,300,000. Agriculture and stock-raising are the principal industries. Salt is the only mineral now mined, but in the future mining promises to be the chief industry of Oklahoma as gold, silver, lead, zinc, and gypsum are known to exist in many places. The Territory has an area of 39,030 sq. miles and a population in 1900 of 398,331, but according to estimate of 1905 it is nearly 800,000.

Oklahoma:

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Oklahoma Central Railroad, act to authorize construction and operation of railway by, through Territories vetoed, IX, 582.

Oklahoma City, Okla., act authorizing issuance of bonds by, to provide right of way for railroad vetoed, IX, 136.

O'Laughlin, Michael, implicated in assassination of President Lincoln, proceedings of trial and verdict of military commission, VI, 334, 335, 336, 342, 347, 348.

Old Colony.—A popular name for Plymouth County, Mass. The territory was formerly included in the Plymouth Colony, but, being unable to obtain a charter from the British Crown on account of its outspoken opposition to the established church, was in 1692 absorbed into Massachusetts Bay Colony.

Old Dominion.—A name popularly applied to the State of Virginia. In colonial documents Virginia is frequently referred to as "His Majesty's Dominion of Virginia."

Old Point Comfort, Va., school for artillery instruction at, II, 255.

Old Settler Indians. (See Cherokee Indians.)

Old Winnebago Reservation, restoration of, to public domain, order regarding, declared void, VIII, 305.

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Commercial relations with, II, 251.

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Oleomargarine, act defining butter and imposing tax on, approved and discussed, VIII, 407.

Olive Branch, The, condemnation of, indemnification asked for, III, 49.

Olmstead, Gideon:

Correspondence with governor of Pennsylvania in regard to case of, I, 477.

Resolutions of Pennsylvania legislature protesting against Supreme Court decision in case of, I, 471.

Olmstead et al. vs. Rittenhouse's Executives.—In 1778 Olmstead and other citizens of Connecticut were pressed into the service of the British aboard the sloop *Active*. They revolted and took possession of the vessel, and were in turn captured by the Pennsylvanian armed brig *Convention*. The State court of admiralty of Pennsylvania adjudged the *Active* lawful prize and awarded the proceeds of her sale to the State, the officers and crew of the *Convention*, and

Olmstead et al. vs. Rittenhouse's Executrices—Continued.

the owners, officers, and crew of *Le Gerard*, a privateer, which assisted in the capture. Olmstead and the others claimed the whole prize, but were awarded only one-fourth. They then appealed to the Federal commissioners of appeals and received a favorable verdict. The State court of admiralty of Pennsylvania set aside this verdict and ordered that the money be brought into court. May 1, 1779, the loan certificates for the prize money were deposited with State Treasurer Rittenhouse. In 1803 the district court of the United States for the State of Pennsylvania entered a final decree that the money be paid over to the libellants. The case having come before the United States Supreme Court, March, 1808, that court ordered a mandamus as against the district judge, and in 1809 judgment was executed in favor of the plaintiffs in spite of violent opposition from Pennsylvania, which opposition had prevented Judge Peters from carrying out his decree. The facts in the matter are all given in the Peters case. (See also I, 471; Peters vs. United States.)

Olney, Richard, Secretary of State, IX, 592.

Olustee (Fla.), Battle of.—In February, 1864, a Federal expedition was sent to Florida from Port Royal under command of Gen. Seymour. It was composed of 20 steamers, 8 schooners, and about 5,000 troops. Feb. 7 the land forces occupied Jacksonville. On the 18th they marched inland, encountering the Confederates on the 20th at Olustee, a railroad station about 50 miles west of Jacksonville. The battle was unexpected and was fiercely fought from 2 o'clock till dark, when the vanquished Federals retired 20 miles to Barbers. Seymour lost nearly 2,000 men, as well as 5 pieces of artillery, in this disastrous fight, and the expedition returned to Hilton Head.

Olympia, The, mentioned, X, 72.

Omaha, The. (See Ikisima Island.)

Omaha Indians.—A tribe of the Dhegiha division or confederacy of the Siouan stock of Indians. The name means "Those who went against the current." In 1815 and 1820 they ceded lands at Council Bluffs to the whites. In 1825 and 1830 they made similar treaties. In 1854 they gave up more of their lands and removed to a reservation in northeastern Nebraska. They number about 1,200.

Omaha Indians:

Act to extend time of payment to purchasers of land of, vetoed, IX, 90.

Claims of, against Winnebagoes, VIII, 264.

Relief of, bill for, VIII, 387.

Treaty with, III, 265, 478, 512; V, 235; VI, 376.

Omaha, Nebr., act to extend privileges to port of, vetoed, VIII, 414.

Omnibus Bill.—Early in the first session of the Thirty-first Congress Henry Clay introduced a series of 6 resolutions as a basis for the compromise of the slavery question. These resolutions provided for the admission of California as a free State; Territorial governments for New Mexico and Utah without conditions as to slavery; a territorial boundary line between Texas and New Mexico favorable to the former; payment of the Texas debt; suppression of the slave trade in the District of Columbia; a more effective fugitive-slave law, and a denial of the power

of Congress to interfere with the slave trade between slave States. On Feb. 5 and 6, 1850, Clay ably advocated the passage of his resolutions by the Senate. That body was strongly Democratic, though the Administration was Whig. Debate on Clay's resolutions lasted 2 months and was participated in by Webster (Mass.), Calhoun (S. C.), Benton (Mo.), King (Ala.), Davis and Foote (Miss.), Hamlin (Me.), Cass (Mich.), Seward and Dickinson (N. Y.), Chase and Corwin (Ohio), Douglas (Ill.), Frémont (Cal.), Soulé (La.), Hale (N. H.), Mangum (N. C.), Hunter and Mason (Va.), Bell (Tenn.), and others of note. On Apr. 19 the resolutions were referred to a committee of 13, with Clay as chairman, and consisting of 6 other Whigs and 6 Democrats. On May 8 this committee submitted an elaborate series of bills embodying the substance of Clay's resolutions. These several bills were known collectively as the "omnibus bill," and the last was passed on Sept. 20. (See also Compromise of 1850.)

O'Neal, Charlotte, act granting pension to, vetoed, VIII, 558.

Oneida, The. (See *Aroostook*, The.)

Oneida Indians.—A tribe of the Iroquois stock of Indians. They formerly occupied lands east of Oneida Lake, N. Y., and the head waters of the Susquehanna River to the south. The name means "Standing stone" or "People of stone." They usually acted independently of the other Iroquois and were not prominent in the confederacy. The early French settlers, with whom they were generally friendly, called them Oneiout. They took part with the Colonies in the Revolution. For this the British destroyed their villages. By a treaty in 1794 the Government made compensation for their losses. In 1785 and 1788 they ceded lands to New York State. In 1833 most of them removed to Green Bay, Wis., where they still remain, and others went to Canada. They number about 3,000.

Oneida Indians:

Lands of, proposition to sell, I, 266, 338.

Treaty with, I, 347; III, 467; X, 44.

Oneota, The, purchased for Peru, detention of, VI, 633, 637.

Onis, Louis de, letter of, to captain-general of Caracas transmitted, I, 488.

Onondaga Indians.—The leading tribe of the Iroquois stock of Indians. Their original hunting grounds were along the shores of the creek and lake in New York which bear their name. They claimed all the country between Lake Ontario and the Susquehanna River. The name is translated to mean "On the top of the mountain." In the councils of the Iroquois Confederacy they were called by a name meaning "They who keep the council fire." They fought on the side of the British in the Revolution and in the French wars. In 1788 they ceded all their land to the State of New York except a small portion, which they still hold. They number about 900.

Ontario, Lake. (See Lake Ontario.)

Opdyke, George, mentioned, VI, 78.

Opequan (Va.), Battle of. (See Winchester (Va.), Battles at.)

Opium Traffic, treaty with China for repression of, and recommendations regarding, VIII, 42, 401.

Opium Traffic—Continued.

Legislation regarding, recommended, VIII, 498.

Oporto, Portugal, international exhibition to be held in, VI, 269.

Orange River Colony.—A British colony in South Africa. It was formerly an independent republic known as the Orange Free State and was founded by the Boers in 1836 and recognized by Great Britain ten years later. In consequence of the part taken in the Boer War it was annexed to the British Crown in 1900. Area, 48,326 sq. miles; population in 1890 (estimated), 77,716 white and 129,787 blacks, natives of the country.

Ord, Edward O. C., negotiations of, for and correspondence regarding restoration of peace, VI, 260.

Orders in Council.—As the sovereigns of Great Britain can act only through privy councilors or upon their advice, the more formal acts of the administration must proceed from the authority of the sovereign in council, and their execution is directed at a meeting of the privy council, and laid before Parliament within 30 days if in session, and if not in session within 30 days after assembling. Those of most interest in the United States were issued in 1793 and 1794, prohibiting trade with France and directing the seizure of neutral ships engaged in such traffic. In 1806 an order was issued declaring the whole coast of Europe from the Elbe to Brest, France, under blockade. The specific order which caused the greatest indignation in America and provoked retaliatory measures by both France and the United States was that of 1807, which prohibited neutral trade directly with France or her allies. All goods were ordered to be landed in England, to pay duties there, and to be reexported under British regulations. (See also Berlin Decree; Embargo; Milan Decree.)

Ordinance (see also Arms and Ammunition): Board of Fortifications and, discussed, VIII, 788.

Cannon—

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Foundry for heavy, board appointed to select location for, VIII, 161.

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Continuance of, recommended, VII, 424.

Machine purchased from A. H. Emery by, appropriation for, recommended, VII, 588.

Report of, referred to, VII, 367, 486, 582.

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Manufacturing operations of, recommendations regarding, VII, 408; IX, 446.

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Regulations for distribution of arms, stores, etc., VIII, 574; IX, 27.

Oregon.—One of the United States; motto, "The Union;" nickname, "Webfoot country," from the excessive rainfall. It extends from lat. 42° to 46° 15' north and from long. 116° 40' to 124° 32' west. It is bounded on the north by Washington (partly separated by the Columbia River), on the east by Idaho (partly separated by the Snake River), on the south by Nevada and California, and on the west by the Pacific Ocean. Oregon is traversed by the Coast Range and Cascade and Blue Mountains, which run parallel to the coast in the eastern portion of the State. It is drained largely by the Columbia, though there is a large inland basin in the southeast. The chief industries are fishing and agriculture. Considerable wheat, flour, salmon, wool, and fruit are exported. The mouth of the Columbia River was discovered by Capt. Gray, an American, in 1792. The river was partly explored by Lewis and Clark in 1804-5. A trading post was founded at Astoria in 1811. The territory, long in dispute, was finally made part of the United States by the treaty with Great Britain in 1846. It was organized as a Territory in 1848 and was admitted to the Union in 1859. It has an area of 96,030 sq. miles and a population (1900) of 413,536, estimates of 1905 add another 150,000 to these figures.

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President Polk's message regarding, IV, 584. Boundary of, in dispute. (See Northwestern Boundary.)

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Extinguishment of rights of Hudsons Bay Co. in, referred to. (See Hudsons Bay Co.)

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Geological survey of, referred to, V, 485.

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Report on, by Lieut. Wilkes referred to, IV, 160.

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Territorial government over, recommended, IV, 457, 504, 558, 584.

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Mentioned, X, 92.

Voyage and arrival of, from San Francisco discussed, X, 91.

Oregon Boundary. (See Northwestern Boundary.)**Oregon Indians,** treaty with, V, 306; VI, 395.

Original Package.—In the enforcement of the prohibitory liquor law in the State of Iowa the officers were frequently charged with exceeding the limits of the State's jurisdiction in interfering with the traffic in spirits. State officers seized and confiscated liquors which it was claimed by the owners were sent into the State for reshipment to points outside the jurisdiction of the State courts. State officers defended themselves under the prohibition amendment to the constitution. In 1890 the Supreme Court of the United States, in the case of *Leisy & Co. vs. Hardin*, held that the plaintiffs, brewers in Illinois, had the right to carry liquors into any State and sell them in the original package without reference to local prohibitory or restrictive laws. The decision of the court rested on the right of Congress to have exclusive control of interstate commerce. Congress thereupon passed a law giving States control of the liquors so imported, although in the original package.

Oriskany (N. Y.), Battle of.—In August, 1777, Gen. Burgoyne sent a detachment of his army, consisting of 200 regulars, Sir John Johnson's Royal Greens, and some Canadian rangers and Indians, under Col. St. Leger, to operate in western and central New York and ultimately to join the main army under Howe at New York. St. Leger proceeded by way of the St. Lawrence River, Lake Ontario, and the Oswego and Oneida rivers to within a few miles of Fort Stanwix (now Schuyler), near the present city of Rome, on the Mohawk River. The post was garrisoned by less than 1,000 men, under Colonels Gansevoort and Willet. Gen. Herkimer collected the militia of Tryon County and advanced to the assistance of the fort. On Aug. 6, when about 6 miles from the post, near

Oriskany, he fell into an ambush and was fiercely assailed by the British and the Indians under Brant. By reason of a successful sally by Willet the assailants were repulsed, but not without the loss of 400, including many of the leading patriots of that region. St. Leger made no official report of his loss except that of his Indian allies. The fight lasted several hours and was one of the most fiercely contested conflicts of the war. St. Leger, deserted by his Indian allies, retired precipitately to Canada.

Orleans, Territory of.—The old name for the present State of Louisiana. In March, 1804, after the purchase of Louisiana from France, Congress divided the territory, cutting off that portion between Texas and the Mississippi River and from the Gulf of Mexico north to the parallel of lat. 33° north and establishing it as a Territory, with William C. Claiborne as governor. In 1810 the citizens of Baton Rouge, territory of St. Francisville, overcame the local Spanish garrison, shot the Spanish governor, and established the Territory of West Florida. After the people of West Florida had elected a governor and framed a constitution President Madison issued a proclamation (I, 480) directing Governor Claiborne, of the Territory of Orleans, to take possession of West Florida and annex it to Orleans. In February, 1811, an act was passed "to enable the people of the Territory of Orleans to form a constitution and State government." Apr. 12, 1812, an act was passed for the admission of the State of Louisiana into the Union, extending the limits to include all between the Mississippi and Pearl rivers south of lat. 31° north.

Orleans Territory:

Admission into Union applied for by, I, 498.

Citizens of, must be protected, I, 384.

Granted admission into the Union, April 12,

1812.

Indians inhabiting, I, 398.

Territory south of Mississippi Territory and eastward of Mississippi River added to,

I, 480, 484.

Expenses incurred incident thereto, I, 497.

Orr, B. G., contract of, with Government to furnish supplies, II, 29.

Orr, James L., commissioner from South Carolina, mentioned, V, 658.

Osage Indians.—A tribe of the Dhegiha confederacy of the Siouan stock of Indians. They are divided into the Great or Highland Osage and Little or Lowland Osage, respectively referring in the native tongue to those who camped at the top of the hill, and those who camped at the foot of the hill, "wacace" in the Siouan language denoting a camp on a hill. This has been corrupted into Osage. Through wars with the whites and Indian tribes of their own stock they were driven southward into Arkansas. In 1808 they ceded lands to the Government and made further cessions in 1815, 1818, 1822, 1825, and 1839. At the beginning of the Civil War about 1,000 of them went to the Indian Territory, and in 1865 and 1868 treaties were made looking to the removal of the remainder of the tribe. The last of their lands was ceded in 1870 to the Government and they went to their reservation in Oklahoma. They number about 1,600.

Osage Indians :

Decline to accede to terms reducing price of lands, VIII, 86.

Lands relinquished to United States by, III, 476.

Payment of interest due, referred to, VIII, 104.

Treaty with, I, 479, 489, 569; II, 45, 47, 198, 317, 323, 346, 477; VI, 192, 380, 635, 645.

Withdrawn, VII, 47.

United States obtain land from, III, 476.

Osborn, John A., mentioned, VIII, 67.**Osborn vs. United States Bank, Ohio.**—A

leading case in the Supreme Court, September term, 1819, involving the right of a State to tax United States property. Osborn, auditor of the State of Ohio, through his deputy, forcibly took from the United States Bank at Chillicothe \$100,000 and delivered it to the State treasurer as payment to the State under the act which was passed by the legislature Feb. 8, 1819, levying taxes upon banks doing business in the State without authorization of the State law. The United States circuit court of Ohio decreed that a restitution be made with interest. The Supreme Court of the United States, having been appealed to, affirmed the decision of the circuit court, but gave no interest. The opinion was delivered by Chief Justice Marshall and was very elaborate. Justice Johnson dissented on the point of jurisdiction. Clay, Webster, and Sergeant argued for the right of the bank to sue in the circuit court of the United States. (See also *McCulloch vs. Maryland*.)

Ossete Indians, rewards to, for rescuing crew of the *Umatilla* recommended, VIII, 216.

Osgood, Samuel, house of, to be prepared for temporary accommodation of President Washington, I, 43, 44.

O'Shea, James E., act granting pension to, vetoed, VIII, 427.

Ostend Manifesto.—In 1852 France and England, fearful of the filibustering expeditions against Cuba and the possible future favor of the United States toward such expeditions, suggested a tripartite convention in which each nation should disclaim all intention to obtain possession of Cuba and should discountenance such possession by another power. With a view to promoting negotiations with Spain for the purchase of Cuba by the United States, Pierre Soulé, American minister to Spain (empowered to negotiate for the purchase of Cuba), John Y. Mason, minister to France, and James Buchanan, minister to Great Britain, met at Ostend, Belgium, Oct. 9, 1854, and after 3 days' session adjourned to meet at Aix-la-Chapelle. They wrote to the United States Government their views of the policy the Administration should pursue. Their message or communication is known as the Ostend Manifesto. It declared that, as Spanish oppression in Cuba was such that the island would speedily resort to arms to free herself, the United States should offer Spain a sum not to exceed \$120,000,000 for Cuba, and in the event of Spain's refusal to sell the United States would be justified in taking forcible possession of Cuba rather than see it Africanized, like Santo Domingo. President Pierce did not think it prudent to act upon this suggestion, and Soulé, disgusted, resigned soon afterwards and returned home.

Oswego (N. Y.), Capture of.—May 5, 1814, the British squadron commanded by Sir James Yeo and consisting of 8 vessels, aggregating 222 pieces of ordnance, besides several gunboats and other small craft, moved toward Oswego, N. Y., at the mouth of the Oswego River. The squadron carried more than 1,200 troops, under Lieut. Col. Drummond. Oswego was protected by Fort Ontario, mounting 6 old guns, and a garrison of less than 300 men, under Lieut. Col. Mitchell. These repulsed a landing party sent ashore and the fleet put to sea. It returned the next day and landed the greater portion of the force, which ascended a long, steep hill to the fort in the face of a heavy fire from the Americans. Overwhelming numbers finally compelled Mitchell to fall back. The American loss was 69, including among the killed Lieut. Blaney. The British lost 94, among the wounded being Capt. Mulcaster, of the *Princess Charlotte*, and Capt. Popham, of the *Montreal*.

Otis, Elwell S. :

Directed to—

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Send troops to Iloilo, X, 358.

Member of Philippine Commission, X, 359.

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Otoe and Missouria Reservation, Nebr. :

Right of way for railroad through, referred to, VIII, 94.

Sale of, bill for, VIII, 69.

Otoe Indians :

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Treaty with, II, 20, 322, 347; III, 37, 265, 478, 512; V, 235, 297; VI, 703.

Withdrawn, VII, 47.

Ott, Catherine, act for relief of, vetoed, IX, 580.

Ottawa Indians.—A tribe of the Algonquian stock of Indians. The Ottawas were first found along the Upper Ottawa River, in Canada. They were steadfast allies of the French. In 1646 they suffered defeat at the hands of the Iroquois and were driven westward along the southern shore of Lake Superior. In the early part of the eighteenth century the Ottawas established themselves about the site of the present city of Chicago, whence they spread in all directions. In 1763 they combined with other tribes in the South and West in an unsuccessful move against the English. During the Revolution they aided the British. They signed treaties in 1785 and 1789, but joined in the Miami uprising soon afterwards. They again made peace in 1795. Numerous treaties ceding territory to the United States followed, and a part of the tribe went south of the Missouri and soon lost their identity. Some of those living in Ohio migrated to the Osage country in 1836. In the same year the Michigan Ottawas ceded all their lands except reservations. In 1870 those in the Southwest were collected in the Indian Territory. They number about 5,000.

Ottawa Indians :

Disposition of bonds and funds of, referred to, VIII, 73.

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negotiations and concluding treaties with, within the borders of the Indian Territory, X, 46.

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Otto, L. G., letter of, on tonnage referred to, I, 92, 93.

Ottoman Empire. (See Turkey.)

Unalaska, The, condemned by Salvador and subsequently presented to United States, recommendations regarding, VIII, 403.

Outrages on American Citizens. (See Central America; Costa Rica; Mexico; New Granada; Puerto Rico; the several powers.)

Overton, John, commissioner to treat with Indians, nomination of, II, 51.

Owen, Annie C., act granting pension to, vetoed, VIII, 423.

Owen, Clara M., act granting pension to, vetoed, VIII, 824.

Oxenham, E. L., British consul, testimonial to be presented to, by United States referred to, VIII, 215.

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Pacific Cables. (See Cables, Pacific.)

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Vessels sent to, to examine harbors in, II, 418.

War on, referred to, VIII, 80.

Pacific Ocean Exploring Expedition, expenses of, referred to, II, 428.

Pacific Railroads.—In 1848 Asa Whitney, a New York merchant, zealously advocated the building of a railroad by the Federal Government to the Pacific Ocean from some point on the Missouri or Mississippi River. A bill providing for such a road was introduced in the Senate. It was opposed by Thomas H. Benton and finally tabled by a vote of 27 to 21. The next year Benton introduced a Pacific railroad measure of his own. In March, 1853, an act was passed providing for surveys. By 1855 Government surveyors had ascertained practicable passes through the Rocky Mountains. The rapid growth of the Pacific States in consequence of the "gold fever" and the difficulty of communication between the East and West on account of the vast extent of intervening

plains made railroad communication more and more desirable. The hopelessness of undertaking so stupendous a work with private capital led many who otherwise were opposed to the principle of Federal aid to internal improvements to advocate the building of the Pacific railroads under Government subsidies. In 1860 both the leading political parties in their platforms declared in favor of building a road under national supervision. The outbreak of the Civil War and the necessity for closer military communication aided the movement. The bill providing for the Union Pacific and Central Pacific roads was approved July 2, 1862, and granted as subsidies 6 per cent. gold bonds of the United States. It gave to the Union Pacific \$16,000 per mile for the great plain west from Omaha, Nebr., \$48,000 per mile for 150 miles over the Rocky Mountains, and \$32,000 per mile for the remainder—in all, 1,034 miles, \$27,236,512; to the Central Pacific \$16,000, \$48,000, and \$32,000 per mile—in all, 883 miles, \$27,855,562. Each company also received 12,800 acres of land per mile of road—25,000,000 acres in all—by a subsequent act, July 1, 1864. The companies were allowed to issue an equal amount of their own bonds, which were to be a first lien on the road, the Government bonds the second. The time fixed for opening was set at July 1, 1876, and the road was actually opened May 10, 1869. The general direction is nearly east and west on or about the fortieth degree of latitude. The total length of the road built by the two companies from Omaha to San Francisco is 1,917 miles. July 2, 1864, a charter with subsidies was granted to the Northern Pacific from Lake Superior to Puget Sound, a distance of 1,800 miles, and thence to the Columbia River, 200 miles. The land granted to this road amounted to 47,000,000 acres, or 73,000 sq. miles. The road was commenced in 1870 and was to have been finished in 1879, but in 1873 the company became embarrassed and ceased work. In 1875 the company was reorganized and the time for construction extended. On Sept. 9, 1883, the last spike was driven at a point 50 miles west of Helena, Mont. The Great Northern extension from Pacific Junction, Mont., to Lowell, on Puget Sound, was completed Jan. 6, 1893. July 27, 1866, the Atlantic and Pacific road was chartered to run from Springfield, Mo., to the Pacific on or near the thirty-fifth parallel of latitude, a distance of 2,000 miles, and subsidized with 42,000,000 acres of land. Mar. 3, 1871, the Southern Pacific road was chartered to run from Marshall to El Paso, Tex., thence through New Mexico and Arizona to Los Angeles, Cal., along the thirty-second parallel of latitude. The act granted the same amount of land per mile as the others had received.

Pacific Railroads:

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- Kansas Pacific, sale of, discussed, X, 117, 165.
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- Subscriptions to capital stock of, order designating place for receiving, VI, 275.
- Pacific Squadron.** (See Manila Harbor (Philippine Islands), Battle of.)
- Pacific Telegraph,** referred to, VI, 128, 181, 244, 366, 455.
- Pactole, The,** referred to, II, 609.
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- Page, Thomas J.,** claim of, against Argentina adjusted, X, 99.
- Pageot, A.,** French chargé d'affaires: Announces intention to return to France, III, 201.
- Correspondence regarding claims against France. (See France, claims against.)
- Painting** presented to Congress, Lincoln and Cabinet at reading of Emancipation Proclamation, VII, 483.
- Paiute Indian Reservation,** proclaimed, X, 634.
- Palatinate.**—A name formerly applied to a German state under the dominion of a count, particularly to the States of the Rhine.

The counts of the electoral or Rhenish palatinate were established in the hereditary possession of the territory of that name and of the lands attached to it as early as the eleventh century. A count palatine was, under the Merovingian Kings of France, a high judicial officer who had supreme authority in all causes that came under the immediate cognizance of the sovereign. After the time of Charlemagne a similar title was given to any powerful feudal lord to whom a province, generally near the frontier, was made over, with judicial powers similar to those the counts palatine had wielded in the palace. The district so governed was called a palatinate or county palatine. There were 3 counties palatine in England—Lancaster, Chester, and Durham. By virtue of their regal rights the counts palatine had their courts of law and appointed their judges and law officers. They could pardon treason, murder, and felonies, issue writs and judicial processes, and the King's writs were of no avail in the palatinate. Maryland was by its charter erected into a palatinate after the model of the palatinate of Durham, England, and so continued as long as it was under proprietary government. Carolina, too, was originally chartered as a palatinate.

Palestine.—A territory in southern Syria, bounded on the north by Phenicia, Lebanon, and Anti-Lebanon, on the east by the Syrian Desert, on the south by an indefinite line extending westward from the southern extremity of the Dead Sea, and on the west by the Mediterranean Sea. It is also called Canaan and the Holy Land. Its ancient inhabitants were the Canaanites. These were conquered by the Israelites, who divided the country among their several tribes. In the time of Christ the divisions west of the Jordan were Galilee in the north, Samaria in the center, and Judea in the south. Palestine formed successively a part of the Babylonian, Persian, Roman, and Byzantine Empires, and about the middle of the seventh century passed under Mohammedan rule. During the crusades it was temporarily held by European Christians. Since 1516 it has been in the possession of the Turkish Government. The soil is naturally fertile. Area, between 10,000 and 11,000 sq. miles; population, 341,600.

Palestine, outrages committed on American citizens in, V, 484.

Palmer, Joel, treaty with Indians concluded by, V, 229, 303, 306, 380, 381, 423.

Palmer, Jonathan, inspector of revenue, nomination of, revoked, I, 431.

Palmerston, Lord, correspondence regarding—
Imprisonment of Ebenezer S. Greely, III, 358, 405.

Northeastern boundary. (See Northeastern Boundary.)

Palo Alto (Mexico), Battle of.—May 7, 1846, Gen. Taylor started from Point Isabel, with a force of 2,288 men, to relieve Fort Brown, 27 miles away. At noon on the following day, when about half way between Point Isabel and Fort Brown, Taylor's army sighted the enemy at the water hole of Palo Alto. The regular Mexican force under Arista numbered 6,000 men, and there were some irregular troops and 12 pieces of artillery. Battle was immediately begun and fiercely fought

Palo Alto (Mexico), Battle of—Continued.

until sunset. By the light of the moon and the burning prairie grass the belligerents buried their dead. The Mexicans lost 200 killed and 400 wounded. The American loss was only 4 killed and 40 wounded.

Palo Alto, Mexico, battle of, referred to, IV, 445, 450, 492.

Pan-American Congress. (See International American Conference.)

Pan-American Exposition, referred to, X, 451, 452.

Pan-American Railroad, discussed, X, 717.

Panama.—One of the six republics of Central America, bounded on the north by the Caribbean Sea, on the south by the Pacific, by Costa Rica on the west and Colombia on the east. The soil is of great fertility but only a small part is under cultivation, bananas being the chief product. Cocoa, indigo, vanilla, pearls, and turtle-shell are also exported. The republic was formerly a department of Colombia. It asserted its independence on November 4, 1903, and was recognized by this country two days later. It is the site of the interoceanic Panama Canal (q. v.). The area is 31,570 sq. miles and the population is about 340,000. (See also Colombia.)

Panama:

Consul of United States in, absence of, referred to, VI, 646.

Independence gained, X, 559, 565-589, 661-666, 685-697.

Federal district created in, VIII, 498.

Revolts against Colombia, details of, X, 662, 663, 664, 684, 685.

Treaty with, for canal, X, 668-675; XI, 1178.

United States grants \$10,000,000 to, X, 707-709.

United States minister to, status of, X, 846.

United States removes discriminating tonnage duties against, XI, 926.

Vessels from, duties on, suspended by proclamation, VIII, 284.

Panama Canal.—The idea of constructing a ship canal between the Atlantic and Pacific oceans occurred to navigators as soon as the form of the continents of North and South America became known. As early as 1527 H. de la Serna surveyed a canal route from Chagres to Panama. Lopez de Gomarfa in 1551 proposed to the Spanish Government the building of a canal. In 1698, when William Paterson, an adventurous Scot, had established an English colony on the Isthmus of Darien which he called New Caledonia, he advocated constructing a canal across the narrow strip of land separating the two great oceans. Many surveys have been made of the Isthmus with the view of piercing it with an artificial waterway. The United States obtained some very complete maps of the country by the explorations of Col. Hughes in 1849, Lieut. Strain in 1854, Lieut. Michler in 1858, and Commodores Selfridge and Tull in 1870 and 1875. In 1869 a treaty was signed by representatives of the United States of Colombia and the United States, providing for the construction of a canal by the latter nation, but there was so much delay and the treaty was so amended by the Colombian Congress that the matter was temporarily dropped by the United States. In 1877 the Colombian Government granted a concession to a Frenchman named Wyse for constructing a

canal, giving him "exclusive privilege for the excavating of a canal between the two oceans," the terminal ports and waters to be neutral. At the invitation of Ferdinand de Lesseps, an International Scientific Congress met at Paris in 1879 and hastily decided upon the Panama route for a canal, the American members of the congress refraining from voting. The Panama Canal Company was then formed, with De Lesseps as president, and the Wyse concession was purchased for 10,000,000 francs. The route selected was close to the present line of the Panama Railroad, crossed the Chagres River 6 times, and contemplated a long and deep cut through the Cordillera. The cost had been estimated at \$169,000,000, and shares of the company had been taken by French citizens, many of them of the middle class, to the amount of \$260,000,000. Work was begun in 1881, but the affairs of the company were conducted with so great corruption, that it became bankrupt in 1889, and a year later suspended work. In 1892, after an investigation of the affairs of the company, De Lesseps, his son, the contractor Eiffel, and others in public life were arrested on charges of fraud in the management of the funds intrusted to them for use in the construction of the canal, and in March, of the following year, the New Panama Canal Company was formed, with renewed concessions to terminate in April, 1910. In the meantime American interest in an interoceanic canal had revived, and there was much discussion of a route across the territory of Nicaragua. The Nicaragua Canal Association obtained concessions from Nicaragua and carried on work of construction from 1889 until 1893, when it became bankrupt. In 1899 a commission was appointed by Congress to determine the most feasible route for an isthmian canal. It reported that if the rights and property of the New Panama Canal Company could be purchased for a reasonable price a canal across Panama could be built more economically than one across the territory of Nicaragua, and recommended the Panama route. In order that the United States might have exclusive control over the proposed canal the Clayton-Bulwer Treaty (q. v.), between Great Britain and the United States, was superseded by the Hay-Pauncefote Treaty on December 17, 1901. In 1902, in accordance with the report of its commission appointed in 1899, Congress passed an act (approved June 28) authorizing the President to secure for the United States the property of the New Panama Canal Company, at a cost of \$40,000,000. It was further provided in the act, that "should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control over the necessary territory of the Republic of Colombia * * * within a reasonable time and upon reasonable terms, then the President" should endeavor to provide for a canal by the Nicaragua route. The Colombian Government, however, on August 12, 1903, rejected the Hay-Herran Treaty, which had been negotiated between it and the United States, thereby refusing the United States' final offer of \$10,000,000 down and \$250,000 annually for the Panama concession. On November 3, 1903, the Department of Pan-

Panama Canal—Continued.

ama proclaimed its independence of Colombia, and having been recognized as an independent republic by the United States, on November 18, the Isthmian Canal Treaty between the United States and the Republic of Panama, was signed at Washington. According to this treaty the Republic of Panama granted to the United States the perpetual use, occupation, and control of a zone of land 10 miles wide (five miles on each side of the central line of the route of the canal) across the Isthmus, complete sovereignty to which was to pass to the United States. The price paid the Republic of Panama by the United States was \$10,000,000 down and \$250,000 annually as long as the convention should continue, beginning nine years after the date of ratification. The United States also guaranteed the neutrality of the canal and the independence of the Republic of Panama. Ratifications of the treaty were exchanged at Washington on February 26, 1904. According to an act of Congress approved April 28, 1904, the President took possession of the Canal Zone and organized its government. The President also appointed an Isthmian Canal Commission of seven members, and directed that the War Department, through this Commission, should undertake the supervision of the construction of the canal and the government of the Canal Zone. On April 4, 1905, this Commission was dismissed and a second appointed, the responsibility being placed chiefly upon the executive committee of three members. The Canal Commission, as at present constituted, consists of Theodore P. Shonts, a chairman Charles E. Magoon; Rear-Admiral Mordecai T. Endicott; Brigadier-General Peter C. Hains; Brigadier-General Oswald H. Ernst, and Benjamin M. Harrod.

Panama Canal (see also Nicaragua Canal): American citizens left destitute by stoppage of work on, to be transported to United States, VIII, 852.
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Panama Canal Commission, members of, XI, 1178.

Panama Congress.—A congress called by the several South and Central American Republics to meet at Panama in June, 1826, to consider the rights of those States. The United States was invited to send delegates, and in response to this invitation President J. Q. Adams, with the consent of the Senate, appointed Richard C. Anderson, minister to Colombia, and John Sergeant, of Philadelphia, delegates, and Congress appropriated \$40,000 for their expenses. They arrived too late for the preliminary meeting, and the adjourned session of the congress for 1827 never occurred. Among the objects of the proposed congress were the regulation of commercial intercourse, assent to the doctrine that free ships make free goods, and an agreement that "each will guard against the establishment of any future European colony within its borders." The failure of the congress demonstrated the inadvisability of an alliance between the United States and the smaller Republics. President Adams warmly favored the establishment of closer relations with the Central and South American Republics, and was supported in the Cabinet by Henry Clay, whose influence in Congress was considerable. In opposing the alliance of American Republics in a speech in the Senate in April, 1826, John Randolph referred to the coalition of Adams and Clay as a "coalition between the Puritan and the blackleg." This remark provoked a duel between Clay and Randolph.

Panama Congress. (See Panama, Isthmus of.)

Panama, Isthmus of:

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Panics.—A word formed from the name of the Greek god of shepherds, who is said to have had the power of inspiring sudden fright without apparent cause. It is now commonly used to describe a state of fear bordering on frenzy, from whatever cause induced. In history great commercial crises are spoken of as panics. England, Holland, and France have experienced them, and the United States has passed through several notable ones. Those most disastrous have usually followed general injudicious speculation in lands or inflated securities. The crisis of 1816-1819 in the United States, it is claimed, was due to the speculation and disorder following the War of 1812. The next occurred in 1825. A very memorable panic was that of 1837. The few years preceding had been marked by extraordinary speculation, carried on with an unsound banking system. Jackson's "specie circular" caused many banks to suspend, and credit was generally impaired throughout the country. Governmental aid was invoked by many financial institutions, but without avail, as Van Buren, who had succeeded to the Presidency, insisted upon individuals righting their own affairs. In 1857 another period of inflation was followed by another panic. Again in 1873 there was a severe monetary crisis. Just 20 years later occurred the last panic from which the country has suffered. (See also Black Friday.)

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Paoli (Pa.) Massacre.—After the retreat from Brandywine Washington moved out on the Lancaster road as far as Warren's Tavern. Finding that Howe did not contemplate an attack upon Reading, Washington stationed Gen. Anthony Wayne with 1,500 men at Paoli, a retired and well-chosen position, to

be ready to fall upon the rear of Howe's army. On the night of Sept. 20, 1777, Wayne was surprised, through the treachery of the people of the country, and 300 of his men were killed, wounded, or captured, with a loss of only an inconsiderable number of the enemy. Wayne saved his artillery and most of his baggage.

Papago Reservation. (See Gila Bend Reservation, Ariz.)

Papal States.—A former dominion of Italy, comprising the Romagna, the Marches, Umbria, and the present province of Rome, and governed directly by the Papal See. It was bounded on the north by the Lombardo-Venetian Kingdom, on the east by the Adriatic Sea, on the southeast by the Kingdom of Naples, on the southwest by the Mediterranean Sea, and on the west by Tuscany and the Duchy of Modena. In 1860 the larger part was annexed to Italy and the remainder in 1870.

Papal States (see also Italy):

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Paraguay.—A Republic of South America. It is bounded on the north by Bolivia and Brazil, on the east by Brazil and a portion of Argentina, and on the south and west by Argentina. The capital is Asuncion. The main portion of the country is hilly or undulating. It has a semitropical climate. The Europeans found are mostly descended from Spaniards, by whom the country was first settled in 1536. The principal products are hides, fruits, tobacco, sugar, and Paraguay tea. Executive authority is vested in a President, elected for 4 years. The Congress consists of a Senate and a Chamber of Deputies. The country declared its independence in 1811, refusing to unite with the Argentine Confederation. In 1865 the Republic became involved in a war with Brazil, Argentina, and Uruguay, which resulted in impoverishing the country and almost depopulating it. The area of Paraguay is about 157,000 sq. miles. The census of 1899 shows 530,103 exclusive of about 100,000 Indians.

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Amnesty proclamations of President Johnson, VI, 310, 547, 655, 708.

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Queen of Spain grants, to American citizens, V, 153, 156.

Sentences of deserters condemned to death commuted, VI, 233.

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Paris, Declaration of.—In the treaty of Paris, which was concluded Mar. 30, 1856, between Russia and Turkey, Great Britain, France, and Sardinia, the following declarations with regard to the conduct of war were subscribed to by all the parties to the treaty and have since been accepted by nearly all civilized nations: First. Privateering is and remains abolished. Second. Neutral goods in enemies' ships and enemies' goods in neutral ships, except contraband of war, are not liable to capture. Third. Paper blockades are unlawful. The United States refused to agree to this declaration on account of the clause doing away with privateers, as the country was compelled to rely largely upon such service in naval warfare. This refusal cost it heavily in the Civil War, although it

was willing to subscribe to the declarations in 1861. In 1871 the declaration was censured by the British Parliament.

Paris, France:

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Paris, Monetary Conferences at.—There have been three important international monetary conferences held at Paris. The first assembled June 17, 1867, at the solicitation of France, to "consider the question of uniformity of coinage and seek for the basis of ulterior negotiations." The United States sent representatives, as did also nearly every European nation. The conference adjourned after about a month without having arrived at any definite conclusion. On Aug. 16, 1878, a second international monetary conference convened at Paris, this time at the instance of the United States, "to adopt a common ratio between gold and silver for the purpose of establishing internationally the use of bi-metallic money and securing fixity of relative value between those metals." The collective decision of the European delegates was that this would be impossible, monetary questions being governed by the special situation of each state or group of states. With this as the final conclusion the conference adjourned Aug. 29. The conference of Apr. 8, 1881, assembled at the call of France and the United States to adopt a permanent relative value between gold and silver, but adjourned July 8 without arriving at an agreement. (See also Brussels, Belgium; Paris, France.)

Paris, Treaties of.—Paris has been the scene of numerous important diplomatic conferences, both between France and other powers and between neighboring nations, who found hospitable neutral ground at the French capital. Among the most important of the treaties of Paris is that of Feb. 10, 1763, between Great Britain on one side and France, Spain, and Portugal on the other. France ceded to Great Britain Canada, Prince Edward Island, Cape Breton, Mobile, all the territory east of the Mississippi, Dominica, Tobago, St. Vincent and Grenada. England restored to France Guadeloupe, Martinique, St. Pierre and Miquelon, and Pondicherry, and ceded St. Lucia to her. Spain ceded Florida to Great Britain, England restored Havana to Spain, and France ceded Louisiana to Spain. The treaty of Paris of 1782-83 between Great Britain on one side and France, Spain, and the United States on the other was arranged in 1782 and formally ratified Sept. 3, 1783. John Jay, John Adams, Benjamin Franklin, and Henry Laurens formed the American commission. The absolute independence of the United States was recognized; Florida and Minorca were returned to Spain; navigation of the Mississippi was made free to both Spain and the United States; the Americans relinquished their pretensions to the territory north of Lake Erie; the St. Lawrence River system from the western end of Lake Superior to the forty-fifth parallel was made the boundary between the United States and the British possessions (from the forty-fifth parallel to the sea the boundary followed the highlands after an uncertain fashion and was long a matter of dispute); loyalists and Tories were to be protected in America; English troops were to be withdrawn without destroying any property or taking away any negro slaves belonging to Americans; the right of fishing on the Canadian and Newfoundland coasts was granted to Americans. The portion of the treaty which directly affected America was signed at Paris, but that between Great Britain, France, and Spain was signed at Versailles, by which name the entire treaty is sometimes called. At Versailles the region of Senegal was granted to France and mutual restitution of conquests in the West Indies was made. In 1898 commissioners were appointed by the Governments of the United States and Spain to meet at Paris and frame a treaty of peace in accordance with the terms of the protocol signed Aug. 12, 1898. The commissioners began their sessions Oct. 1 and ended with the signing of a treaty of peace, Dec. 10. (See also Spanish-American War.)

Paris Tribunal of Arbitration.—A treaty providing for the arbitration of the dispute between Great Britain and the United States as to the killing of seals in the Bering Sea was concluded on February 29, 1892. The American members of the Commission authorized were Justice John M. Harlan and Senator John T. Morgan, of Alabama, John W. Foster, the Secretary of State of the United States, conducting the case for the United States. The Tribunal met at Paris and made an award which was delivered to the agents of the respective governments August 15, 1893. Congress passed an act, approved

April 6, 1894, to give effect to the award of the tribunal (IX, 494). (See also Bering Sea Fisheries.)

Paris Tribunal of Arbitration:

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Enforcement of regulations in accordance with decision of, referred to, IX, 568.

Failure of negotiations of, to protect fur seals of Alaska, IX, 750.

Reports of agent of United States to, transmitted, IX, 477.

Parish.—At the time of the settlement of America the parish was the unit of local government in England. In some of the Southern Colonies the name and institutions of the parish were imitated precisely. The Virginia parish was a subdivision of a county. Besides attending to its religious duties, the vestry of a parish had to choose church wardens and with them take charge of the poor, establish the public bounds, count the tobacco, and attend to various other petty administrative matters. They also chose the clergyman and collected his salary. In New England the word parish had only an ecclesiastical significance. The colonists there divided the county into towns, which provided some of the institutions of the parish, and the others were left to the church to provide. In South Carolina the colony was divided primarily into parishes, there being no counties at first. Louisiana still retains the parish instead of the county as the principal division of the State.

Park Range Forest Reserve, proclaimed, XI, 1002.

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Parker, Foxhall A., commander of Home Squadron, mentioned, V, 140.

Parker, Newcomb, act granting pension to, vetoed, VIII, 456.

Parker, P. E., act for relief of, vetoed, VIII, 710.

Parker, Peter, commissioner to China, mentioned, V, 531, 582.

Parker, Willis W., inspector and collector, nomination of, I, 402.

Parks, Gorham, correspondence regarding African slave trade, IV, 688.

Parks. (See Chickamauga and Chattanooga National Military Park; National Parks.)

Parsons, Justin W., murder of, in Turkey, referred to, VIII, 40.

Parsons, Lewis E., provisional governor of Alabama, appointed, VI, 323.

Parsons, Marilla, act granting pension to, vetoed, VIII, 440.

Partridge, Frank C., mentioned, IX, 242.

Partridge, James R., mentioned, VI, 61.

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Passamaquoddy Indians. (See Abnaki Indians.)

Passamaquoddy Indians:
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Passport.—A document issued by competent civil authority granting permission to the person specified in it to travel or authenticating his right to protection. In some nations no person is allowed to leave the country without a passport from his government; but the regulations of different jurisdictions regarding the use of passports have greatly varied and of late years have exhibited a tendency toward a relaxation of stringency, extending in many countries to their total abolition. Passports of the United States, which are given under the seal of the Secretary of State, request that the person named therein be permitted to pass freely and safely, and in case of need that aid and protection be afforded him.

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- Authentication of, denial of, by Russian consuls to Jews discussed, IX, 635.
- Charge for, for citizens visiting foreign countries referred to, VIII, 400.
- Issue of, extended to residents of United States insular possessions, X, 525.
- Laws regarding issue of, revision of, recommended, VIII, 785.
- Persons not permitted to enter United States without, VI, 274.
- Order modifying, as to Canada, VI, 282.
- Order regarding, rescinded, VI, 339.
- Regulations of foreign powers regarding, printing of reports on, recommended, IX, 749.
- Patagonian Boundary** between Chile and Argentine Republic referred to, VIII, 42.
- Patapasco River**, act for improvement of navigation of, vetoed, V, 388.
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- Patent Law.** (See Patent Office.)
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 - Accounts of, deficiency in, II, 468.
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 - Appropriations for, estimates for, VIII, 89.
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 - Establishment of, recommended, I, 571.
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 - Separation of, from Interior Department recommended, VII, 201, 252.

Transfer of, from State Department to Attorney-General recommended, IV, 415.

Patents.—Literally, open letters. In England the word is applied to all licenses and authorities granted by the Crown. Patents for titles of nobility were first granted by Edward III in 1334. The earliest patent for the exclusive privilege of printing books was granted in 1501. The property right of inventors and discoverers to their arts and manufactures was first secured by letters patent by an act passed in 1623. In the United States a patent is generally understood to mean the right to the exclusive use, for a limited term of years, of a new or useful invention or discovery by the inventor or discoverer or his heirs or assigns. A few patents had been issued by the States. In 1790 the first patent law was passed by the General Government, and granted letters patent for 14 years to both citizens and foreigners. Application had formerly to be made to the Secretaries of War and State and the Attorney-General. In 1793 an act was passed permitting the issue of patents to citizens only and requiring a fee of \$30. The States were not permitted to issue patents. This was decided in the case of *Gibbons vs. Ogden* (q. v.), from New York. In 1836 the patent laws were revised and the present patent system in this country may be said to date from that year. One of the most important changes then introduced was the regulation requiring a preliminary examination of the novelty and patentability of an invention. In 1839 an inventor was given the right to use his invention before applying for a patent, but such use was limited to two years. Under the law of 1842 patents were granted for a term of 7 years; the term was subsequently extended to 14 years, and finally in 1861 the present 17 year term was granted. The patent laws were revised in 1870 and patents were allowed to all persons both citizens and foreigners who could prove the novelty and usefulness of their inventions. The salient features of the patent laws of to-day, however, are still those of the law of 1836. The number of patents granted annually is about 30,000. Since the year 1836 no less than 788,790 patents have been issued by the United States while the combined total of foreign countries amounts to 1,615,042. (See also Department of the Interior.)

Patents. (See Department of the Interior.)

Patents, Commissioner of, recommendations of, referred to, VII, 161.

Patroons.—A title given to certain early Dutch settlers of New Netherlands. In 1629 the Dutch West India Co., in order to effect a permanent agricultural colonization of New Netherlands, granted a charter of "privileges and exemptions" to any members of the company who should within 4 years plant a colony of 50 anywhere in New Netherlands except on Manhattan Island. The lands were purchased from the Indians and the titles were confirmed by the Dutch Government. The first to make such purchases were Kiliaen Van Rensselaer, who obtained a tract on the Hudson River, with Albany as its center, and extending 24 miles north and south and 42 miles east and west; Samuel Godyn and Samuel Bloemart, who purchased lands on the Delaware River, and Michael Pauw, who secured all the land on the west

Patroons—Continued.

bank of the Hudson River from the Kills which separate Staten Island from the mainland of New Jersey to Hoboken. Livingston, Phillipse, Van Cortland, and others came afterwards. These wealthy grantees were called patroons and were privileged to rule their colonies in absolute feudal style, the colonists being bound to them for a stipulated number of years. This system proved faulty in that it debarred the poorer class of colonists; so in 1640 the charter of the Dutch Company was amended so as to extend the privileges of colonization to any good citizen of the Netherlands. In later years there were frequent quarrels between the patroons and the provincial government.

Patterson, Eliza W., act for relief of, permitted to become law and reasons therefor, VIII, 219.

Patterson, William, associate justice, Supreme Court, nomination of, void, I, 137.

Patton, Rachel, act granting pension to, vetoed, on the ground of remarriage and subsequent divorce which does not recover the former status of soldier's widow, IX, 675.

Paul vs. Virginia.—An important case before the United States Supreme Court. The statutes of Virginia required the deposit in the State treasury of certain moneys in State bonds by insurance companies not incorporated under the State laws in return for licenses to do business in the State. This law was enacted Feb. 3, 1866, and later in the month a supplemental act was passed. In the same year Samuel Paul, a citizen of Virginia, acting as agent for a New York insurance company, was indicted before the circuit court of Petersburg and sentenced to pay a fine of \$50 for refusing to comply with the above law. The court of appeals of Virginia affirmed the decree of the circuit court, and the case having been taken to the Supreme Court of the United States, that tribunal affirmed the judgment of the State court of appeals on the ground that the State law in question did not conflict with that clause of the National Constitution which declares that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States," nor with the power of Congress to "regulate commerce with foreign nations and among the several States." Justice Field, for the court, held that issuing a policy of insurance is not a transaction of commerce. The policies are local transactions and are governed by the local law. Justice Field stated that corporations are not citizens within the meaning of the Constitution.

Paulding, Hiram, arrest of William Walker and associates in Nicaragua by, V, 466. Referred to, V, 470, 486.

Pauls, George, death of, referred to and appropriation to widow of, recommended, IX, 59.

Paulus Hook (N. J.), Capture of.—In the summer of 1779 the British had a garrison of 383 men stationed at Paulus Hook, N. J., opposite New York City. At 3 o'clock on the morning of Aug. 19, Maj. Harry Lee, with a force of 300 picked men, made a descent upon the fort and in a short engagement killed 30 men and took 160 prisoners. The British having retired to a small circular redoubt too strong for Lee's men, he

returned to camp with his prisoners. Congress rewarded Lee with thanks and a gold medal.

Pauncetote, Lord, British ambassador: Agreement between United States and Great Britain for *modus vivendi* regarding Bering Sea fisheries, signed by, IX, 146.

Communications in regard to Venezuelan boundary, transmitted by, IX, 655.

Death of, X, 523.

Paupers, Foreign:

Introduction of, into United States, III, 469; IV, 518.

Legislation respecting, recommended, VIII, 170.

Request of President to withdraw articles regarding, from consideration of House, III, 475.

Involuntary deportation of convicts, idiots, insane persons, and, to United States referred to, VII, 265, 636.

Pawnee Indians.—A confederacy of tribes of the Caddoan stock of Indians. They formerly inhabited the plains of Kansas and Nebraska and the banks of the Platte and Republican rivers. This confederation has always been friendly to the Americans. By a treaty in 1833 they sold their lands south of the Nebraska. They were afterwards attacked by the Sioux and the remainder of their hunting grounds was devastated. In 1857 the Pawnees sold more of their lands, and, the depredations of the Sioux continuing, the remnants of the Pawnee Confederation were removed to a reservation in Oklahoma. There are now some 800 individuals, divided into 4 tribes—the Tcawi or Grand Pawnee, Pitahauerat or Tapage, the Republican Pawnee, and the Skidi or Pawnee Loup.

Pawnee Indians:

Agreement between Cherokee Commission and, IX, 333.

Aid for, recommended, VII, 360.

Treaty with, II, 47, 322, 347; III, 37; IV, 671; V, 464.

Pawnee Reservation, Ind. T., enlargement of, bill for, VIII, 108.

Payette Forest Reserve, proclaimed, XI, 972.

Payne, John Howard, minister to Tunis, nomination of, referred to, V, 75.

Payne, Lewis:

Implicated in assassination of President Lincoln, proceedings of trial and verdict of military commission, VI, 334, 335, 336, 342, 347, 348.

Persons claiming reward for apprehension of, directed to file claims, VI, 353.

Payson Forest Reserve, proclaimed, X, 627; XI, 1051.

Pazos, Mr., mentioned, II, 32.

Pea Patch Island:

Fortifications for, II, 475; III, 508.

Jurisdiction of, should be secured by Government, III, 508.

Private claims to, II, 126, 230.

Proceedings to try title to, referred to, III, 592.

Pea Ridge (Ark.), Battle of.—Called by the Confederates the battle of Elk Horn. In December, 1861, Gen. Samuel R. Curtis took command of the 12,000 Federal troops at Rolla, Mo., and advanced against Gen. Sterling Price, who retreated before him into Arkansas. Gen. Price was joined by Gen. Ben. McCulloch. In January Gen. Earl Van

Pea Ridge (Ark.), Battle of—Continued.

Dorn assumed command of the combined Confederate forces, estimated at 10,000, including some 5,000 Cherokee Indians recruited for the service by Albert Pike. Curtis had about 10,000 men in line and 48 pieces of artillery. Mar. 7, 1862, Van Dorn attacked Curtis in his position on Pea Ridge, a line of bluffs along Sugar Creek, in Benton County, Ark. Skillful manipulation of the artillery in Sigel's division did much toward determining the result. Fighting continued all day, and during the night both armies changed positions. The battle was renewed at sunrise on the 8th, and after 2 hours Van Dorn's forces retreated. The Confederate Generals McCulloch and McIntosh were killed and Price and Slack were wounded. The Confederate losses were about 1,300. The Union army lost 1,351 in killed, wounded, and missing.

Peabody, Charles A., provisional judge for Louisiana, appointed, VI, 122.

Peabody, George, medal presented to, referred to, VI, 699.

Peace Commission.—In May, 1778, Lord North sent a peace commission to the Colonies. It consisted of the Earl of Carlisle, George Johnstone, and William Eden. They arrived at Philadelphia June 4. The commission offered many conciliatory terms, including an extension of the privileges of trade, an abolition of the quartering act, a representation of the Colonies in Parliament, an arrangement for sustaining continental bills of credit, and an almost independent colonial administration. As the commissioners had no power to acknowledge the independence of the Colonies, Congress declined to appoint commissioners to meet them.

Peace Commission:

Of 1867, treaties concluded by, VII, 51.
Spanish-American, at Paris, X, 96, 97.

Peace Conference.—In January, 1861, a resolution was passed by the legislature of Virginia inviting the various States to appoint delegates to meet at Washington to devise means to avert, if possible, the impending war. The conference, at which 21 States were represented, met Feb. 4 and adjourned two weeks later. It proposed a constitutional amendment which prohibited slavery north of lat. 36° 30' north. South of this line it was not to be interfered with. The proposed amendment denied the right of Congress to pass laws giving freedom to slaves temporarily in free States or to fugitive slaves. It also forbade Congress controlling slavery in the Southern States, but prohibited the slave trade. The amendment was brought up in the Senate, but was not introduced in the House. In July, 1864, President Lincoln sent Horace Greeley to confer with representatives of the Confederates in the interest of peace. Clement C. Clay, jr., of Alabama, James P. Holcombe, of Virginia, and others met Mr. Greeley at the Clifton House, Niagara Falls, but the conference was without result. About the same time Rev. James F. Jaques, of the Seventy-third Illinois Regiment, and J. R. Gillmore visited Richmond and held a fruitless peace conference with Jefferson Davis. Another conference was brought about by Francis P. Blair, sr., at Hampton Roads,

Feb. 3, 1865, between Alexander H. Stephens, John A. Campbell, and R. M. T. Hunter, on the part of the Confederates, and President Lincoln and Secretary Seward, on behalf of the Federal Government. This was also without result.

Peace Congress, International, at Washington, VIII, 97, 130.

Invitation extended American nations to attend, VIII, 98.

Postponement of, referred to, VIII, 130.

Peace Establishment of Navy. (See Navy.)

Peach Tree Creek (Ga.), Battle of.—July 17, 1864, Sherman's army advanced across the Chattahoochee River and Johnston fell back toward Atlanta. Just at this time Johnston was superseded in command of the Southern army by Gen. John B. Hood. Before the Federal forces could be brought into line of battle before Atlanta they were attacked by Hood's army near Peach Tree Creek, July 20, 1864. The attack fell mainly upon Newton's division of the Fourth Corps, the Twentieth Corps, and Johnson's division of the Fourteenth Corps. After a severe battle the Confederates retired into their intrenchments, leaving upon the field 500 dead, 1,000 wounded, 7 stand of colors, and many prisoners. The Federal loss in killed, wounded, and missing was 1,500. Gen. Hood censured Hardee for the reverse.

Peacock, The.—A United States sloop of war, carrying 18 guns, commanded by Capt. Lewis Warrington. On Apr. 29, 1814, when off the coast of Florida, this vessel attacked the British brig *Épervier*, also mounting 18 guns. After a battle lasting 40 minutes, in which 22 of her men were killed or wounded, the *Épervier* surrendered. It proved a rich prize, as it had on board \$118,000 in specie. On June 30, 1815, the *Peacock* attacked and captured the *Nautilus*, of 14 guns. This capture took place after the treaty of peace. Next day, on ascertaining this fact, Capt. Warrington released the *Nautilus* and returned home.

Pearce, Samuel, ensign in Navy, nomination of, and reasons therefor, VI, 156.

Pearl River, Hawaiian Islands, improvement of harbor of, and establishment of naval station at, recommended, IX, 188.

Peck, Ferdinand W., commissioner-general to Paris Exposition, X, 105.

Peck, Mr., labor commissioner of New York, mentioned, IX, 307.

Pedersen, Peder, Danish minister, mentioned, II, 345.

Peirpoint, Francis H., governor, to be aided in restoring Virginia into Union, VI, 337.

Pelletier, Antonio, imprisonment of, in Haiti, and claims arising out of, discussed, VI, 631; VIII, 78, 333, 535.

Pembina, Minn., proclamation granting privileges of other ports to, V, 326.

Pendoe, Joseph S., dismissal of, from volunteer regiment referred to, IV, 605.

Pendergrast, Garrett J., correspondence with, while commander of the *Boston*, IV, 452.

Pendleton, George H., report of, on diseases of swine in Germany referred to, VIII, 612.

Penitentiaries.—The first penitentiary in the United States was founded in Philadelphia in 1786 through the influence of the Society of Friends. This was followed soon afterwards by the New York prisons at Sing Sing and Auburn. Sept. 23, 1789, Congress ree-

Penitentiaries—Continued.

commended to the several States to make it the duty of keepers of jails to receive prisoners committed under authority of the United States. In 1790 the legislature of Pennsylvania passed a law to try the system of solitary confinement of prisoners at hard labor as a reformatory measure. A society for the improvement of prison discipline and for the reformation of juvenile offenders was established in Boston in 1815, and in 1825 the House of Refuge on Blackwells Island, N. Y., the first institution in the United States for reforming juvenile delinquents, was opened. The contract system of leasing prisoners to private parties began with the Mississippi penitentiary Feb. 21, 1867. Territorial penitentiaries were placed under control of United States marshals and the Attorney-General was authorized to prescribe rules for their government by act of Congress of June 10, 1871. In 1874 the United States Military Prison was established at Fort Leavenworth. In 1886 a United States jail was located at Fort Smith, Ark. In 1891 Congress authorized three United States prisons, there being now, besides those mentioned above, a United States penitentiary at Atlanta, Ga., one on McNeil's Island, State of Washington, a United States jail in the District of Columbia, and a Territorial prison at Yuma, Arizona. There is also one penitentiary in Hawaii, and in the Philippine Islands two such institutions for the confinement of offenders against the civil law. In the several States, under State jurisdiction, there are altogether 56 prisons and penitentiaries. United States prisoners not confined in Federal institutions, are kept in those of the various States.

Penitentiaries:

State laws regulating, discussed, IX, 320.

Uniform credit for good behavior in, recommended, IX, 320.

Penitentiaries, Government:

Erection of, recommended, VIII, 249, 517, 778; IX, 448, 537, 729.

Military prison at Fort Leavenworth, use of, as, discussed, IX, 729.

Recommended, IX, 537.

Penitentiary Congress, International, at London, VII, 208.

Penn, D. B., mentioned, VII, 296, 309.

Penn vs. Baltimore.—This is a case decided in the English courts, but important to Americans on account of the subject of the litigation being the boundary line between Pennsylvania and Maryland and Virginia, or, as it was at the time of the dispute, the boundary between Penn's and Lord Baltimore's land grants. Lord Baltimore met Penn's deputy in 1682 and Penn himself in 1683. Nothing was decided, though Penn secured a new grant from the Duke of York. This grant gave territory extending into Delaware and Maryland. Penn also obtained a letter from the King requesting Baltimore to hasten the adjustment of the boundary. The case was taken to London and there decided in Penn's favor. A compromise was arranged in 1732 and enforced by the court of chancery in 1760, in accordance with which a line was run about 1766 by Mason and Dixon, two eminent mathematicians, fixing the boundary where it now remains. (See also *Mason and Dixon's Line*.)

Penn Yan, N. Y., special agent to take charge of post-office in, referred to, VI, 601.

Pennamite War. (See *Wyoming Controversy*.)

Pennsylvania.—One of the thirteen original States; nickname, "The Keystone State;" motto, "Virtue, Liberty and Independence." It extends from lat. 39° 43' to 42° 15' north and from long. 74° 40' to 80° 34' west. It is bounded on the north by Lake Erie and New York, on the east by New York and New Jersey (separated from both by the Delaware River), on the south by Delaware, Maryland and West Virginia, and on the west by Ohio and West Virginia. It was originally named Sylvania ("forest country"). In 1681 William Penn obtained a grant of 40,000 sq. miles of land from Charles II in payment of a debt of £16,000 due Penn's father, an admiral in the English navy. The King gave the territory the name of Pennsylvania in honor of Penn. In 1682 the city of Philadelphia was laid out on plans drawn in England. Penn established a popular form of proprietary government and offered inducements to immigrants by his wise administration and honorable dealings with the Indians. His rights passed to his heirs from whom they were purchased by the State in 1776. The United States Constitution was ratified by a State convention Dec. 12, 1787. A new State constitution was made in 1790, another in 1838, and the present in 1873. The State is traversed from northeast to southwest by low parallel ranges of the Alleghanies, and is drained by the Ohio, Susquehanna, and Delaware rivers. It is the first State in the production of petroleum and the manufacture of iron and second in general manufactures. Corn, wheat, rye, tobacco, and butter are among the leading products. Pennsylvania had been settled by a colony of Swedes in 1638, prior to the grant of the territory to Penn. It has an area of 45,215 sq. miles and a population (1905) of 7,562,538.

Pennsylvania (see also Philadelphia):

Buckshot War referred to, III, 507, 508.

Combinations, unlawful, in, discussed and proclamation issued against, VII, 472, 499.

Conflict at Lattimer, claims of Austria-Hungary regarding subjects killed in, X, 99.

Insurrections in—

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Pardons granted insurgents, I, 181, 303.

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Marine hospital at Erie tendered United States by, for use as soldiers' and sailors' home, VIII, 199.

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Ratification of amendment to Federal Constitution by, referred to, I, 74, 110, 259.

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- Suppression of insurrections in, and authorization to employ armed force, I, 303.
- Transmitted, I, 471, 497.
- United States Bank of. (See Bank of Pennsylvania.)
- Unlawful combinations in, discussed and proclamation against, VII, 449, 472.
- Whisky Insurrection in—
 - Discussed, I, 162, 168, 170.
 - Pardon granted insurgents, I, 181.
 - Referred to, I, 184.
 - Proclamations against, I, 158, 161.

Penobscot River :

- Ship channel of, referred to, II, 475.
- Survey of, II, 565.

Pensacola, Fla.:

- Blockade of port of, removed by proclamation, VI, 230.
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Pension Frauds. (See Pension Laws.)**Pension Fund, Naval.** (See Pensions.)**Pension Laws :**

- Abuses and frauds discussed by President—
 - Adams, J. Q., II, 308.
 - Arthur, VIII, 185.
 - Cleveland, VIII, 360, 524, 778, 797; IX, 452, 546, 737.
 - Fillmore, V, 128, 178.
 - Grant, VII, 253.
 - Jackson, III, 114.
 - Lincoln, VI, 52.
 - Pierce, V, 215.
- Act to amend, by increasing pension of soldiers and sailors who lost arm or leg in service returned, VIII, 409.

Pension Vetoes. (See Cleveland, Grover; Grant, Ulysses S.)**Pensions.**—The word "pension" is derived

from the Latin word *pensio*, a payment, and refers to allowances of money paid in fixed amounts at certain intervals by a government to such persons as have rendered some valuable public service, or to the dependent relatives of such. In England pensions are granted to those "who by their useful discoveries in science and attainments in literature and the arts have merited the gracious consideration of their sovereign and the gratitude of their country." Aug. 26, 1776, the Continental Congress passed an act to provide by pension for the disabled soldiers of the Revolution. It was also resolved during the same year that all the officers who should continue in the service until the end of the war should receive half pay for 7 years after peace had been established. A few years later the widows and orphans of those who had died were included in the provisions of this act. In 1785 Congress recommended that the several States provide for invalid soldiers. By laws passed in 1789 and 1803 the United States assumed the pension obligations of the several States. Officers and seamen of the Navy disabled in service were placed on the pension lists by act of July 1, 1797, and by acts passed in 1799 and 1800 money accruing from prizes was made to constitute a fund for the payment of naval pensions. By an act passed April 24, 1816, the rate of pension for total disability was fixed at \$17 per month for first lieutenants, \$15 for second lieutenants, and \$8 for noncommissioned officers and

privates. In 1818 an act was passed granting pensions to all who had served 9 months or more in the Revolutionary Army and were in indigent circumstances. More claimants applied than could possibly have survived from Washington's army. The amount required to be paid the first year was eleven times what had been estimated, and the second year seventeen times the estimate. In 1868, when all the Revolutionary pensioners had died, there remained 888 widows of such soldiers. There yet remain on the pension rolls (1906) one widow and four daughters of various Revolutionary soldiers. Acts of July 14, 1862, and subsequent dates provided pensions for soldiers and sailors disabled in the Civil War and for the dependent relatives of those who had died. Under these acts expenditures for pensions reached \$34,443,895 in 1871, and then declined until, on Jan. 25, 1879, the arrears act was passed, allowing back pay on all claims theretofore allowed. In 2 years this act doubled the total annual sum paid for pensions. Meanwhile, in 1871, another act had pensioned all who had served a certain time in the War of 1812, and their widows if married before the treaty of Ghent. In 1898 there were 3 of the former and 2,407 of the latter. The act of June 27, 1890, pensioned all who served 90 days in the Civil War, and were honorably discharged, and who were incapacitated for manual labor, and the widows, children, and dependent parents of such. This act has nearly doubled the number of pensioners and increased the annual expenditures for pensions to nearly \$160,000,000—nearly twice the ordinary annual expenditure for the German army. The total number of pensioners reported for the year 1905 was 998,441. Should an original claim be allowed by the provisions of one law the claimant is dropped from the rolls under any other law by the terms of which he may have received benefits. The total amount expended on pensions for the year 1905 amounted to \$142,099,286, while the total disbursements for pensions since the year 1861 as aggregated \$3,264,130,257.

Pensions:

Abuses of laws regarding. (See Pension Laws.)

Act—

For relief of dependent parents and honorably discharged soldiers and sailors now disabled and dependent vetoed, VIII, 549.

To allow pension of \$37 per month to soldiers losing arm and leg returned for amendment, VII, 428.

To provide for settlement of claims barred by limitations, opinions regarding, referred to, I, 123, 133.

Acts granting, vetoed. (See Cleveland, Grover; Grant, Ulysses S.)

Army officers not allowed, except in certain cases, II, 442.

Disability pension act discussed, IX, 117, 327, 451, 545.

Discussed by President—

Adams, J. Q., II, 308, 361, 392.

Arthur, VIII, 58.

Cleveland, VIII, 360, 523, 797; IX, 451, 545, 736.

Grant, VII, 41, 112, 202, 253, 300, 353.

Harrison, Benj., IX., 49, 115, 117, 204, 327.

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- Jackson, II, 456.
- Johnson, VI, 362, 452, 454, 576, 682.
- Lincoln, VI, 52, 251.
- McKinley, X, 120, 163, 227.
- Madison, I, 497.
- Monroe, II, 19.
- Tyler, IV, 49.
- Expenditures for. (See Discussed, *ante*.)
- Foreign pensioners, provision for payment of expenses of obtaining evidence regarding, recommended, VIII, 81.
- Frauds discussed. (See Pension Laws.)
- Laws in regard to. (See Pension Laws.)
- Names and ages of pensioners should be taken with census, III, 527.
- Naval pensioners and pension fund referred to, III, 593, 620; VII, 456; X, 58.
- Transfer of payment of, to Navy Department recommended, VII, 106.
- Pension obtained by fraud. (See Pension Laws.)
- Payments to invalids, order regarding, X, 83.
- Pensioners entering Confederate army should be stricken from rolls, VI, 52.
- Pensioners in Southern States, recommendations regarding restoration of certain, VII, 300.
- Report regarding, transmitted, V, 530; VII, 456.
- Revolutionary War—
 - Amount paid pensioners of, referred to, II, 33, 361.
 - Compensation to agents in paying, referred to, IV, 504.
 - Sums paid to, and residences of pensioners referred to, II, 33.
- Pensions, Bureau of.**—Up to 1833 the disbursement of pensions had been under the supervision of the Secretary of War and the Secretary of the Navy. In that year Congress established the Pension Bureau and placed J. L. Edwards in charge. He immediately assumed the business theretofore under the War Department, and in 1840 the pension affairs of the Navy Department were transferred to this Bureau. In 1849, when the Department of the Interior was created, the Pension Bureau was placed under its jurisdiction. The chief officer of this Bureau is called the Commissioner of Pensions.
- Pensions, Bureau of:**
 - Expenditures of. (See Pensions discussed.)
 - Good work of, X, 655.
 - Increase in clerical force of, IX, 117.
 - Recommended, VIII, 86.
 - Transfer of, from Interior Department to War Department recommended, VII, 106.
- Pensions, Commissioner of,** provision for continuance of, recommended, III, 572.
- People's Party.**—In December, 1889, a meeting of the Farmers and Laborers' Union of America was held at St. Louis, Mo., for the purpose of consolidating the various bodies of organized farmers which had been formed at different times and places in the United States since 1867, and which were known under the general name of Grangers (q. v.). The consolidated body was called the Farmers' Alliance and Industrial Union. On December 2, 1890, a national convention was held at Ocala, Fla. Thirty-five States and Territories were represented by 163 delegates. Independent political action was decided

upon, and a platform was adopted advocating free silver, the subtreasury plan, equal taxation, a graduated income tax, election of President, Vice-President, and Senators by direct vote, and prohibition of alien ownership of land. (See Ocala Platform.) The second convention was held at Cincinnati, Ohio May 19, 1891. Thirty States and Territories were represented by 1,418 delegates. At this convention the Ocala platform was heartily indorsed and the name People's Party was adopted. A third national meeting was held at St. Louis, Mo., in February, 1892. It was decided to put in the field candidates for President and Vice-President, and on July 2, 1892, a national body of delegates met at Omaha, Nebr., and nominated Gen. James B. Weaver, of Iowa, for President, and James G. Field, of Virginia, for Vice-President. Weaver obtained a popular vote of 1,030,128 and an electoral vote of 23. In 1896 the People's Party met at St. Louis, Mo., and nominated for President William J. Bryan of Nebraska, and for Vice-President Thomas E. Watson, of Georgia. Mr. Bryan had been previously nominated for the Presidency by the Democratic party. In the popular vote the Bryan and Watson ticket (straight Populist) received 245,728 votes, and Bryan and Sewall ticket (Democratic and straight fusion ticket) 6,257,198 votes. In the electoral college McKinley and Hobart (Republican candidates) received 271 votes, Bryan 176, Sewall 149, and Watson 27. On May 10, 1900, a convention of the fusion wing of the party met at Sioux Falls, S. D., and nominated William J. Bryan for President and Charles A. Town for Vice-President. Mr. Town withdrew in favor of Adlai Stevenson, the Democratic candidate, and on August 28th the executive committee nominated Mr. Stevenson. The anti-fusion wing of the party met at Cincinnati on May 10th and nominated Wharton Barker for President and Ignatius Donnelly for Vice-President. The Democratic and fusion nominees received 6,374,397 popular votes and 155 electoral votes. The anti-fusion (middle-of-the-road) wing of the People's Party received 50,373 popular votes. In 1904 the People's Party nominated Thomas E. Watson for President and Thomas H. Tibbles for Vice-President and they received 120,903 votes.

Peoria Indians. (See Illinois Indians.)

Peoria Indians, treaty with, II, 47, 610; V, 242; VI, 69, 518.

Pequot, or Pequod, Indians.—A former tribe of the Algonquian stock of Indians. The name is translated "destroyers" or "ravagers." They were the most dreaded of all the southern New England Indians. When first known to the whites the Pequots formed one tribe with the Mohegans under Sassacus, but they seceded under Uncas and occupied a narrow strip of coast in southern Connecticut from the Niantic River to the Rhode Island boundary. They never numbered more than 3,000, though their estimated strength was much greater. In 1634 the Pequots entered into a treaty with the colonists at Boston, but failed to keep the peace. Expeditions were sent against them and they in turn attacked Wethersfield and massacred many settlers. In 1637 they were surprised at a fort near the present site of Groton, Conn., and in the battle which ensued and the subsequent one

Pequot, or Pequod, Indians—Continued.

at Fairfield Swamp the tribe was nearly annihilated. Many of them were sold as slaves and the others were scattered.

Perjury.—In law the willful giving, under oath lawfully administered in a judicial proceeding, of false testimony in regard to a matter or thing material to the issue or point of inquiry. The early Romans threw perjurers from the Tarpeian Rock. The Greeks branded them with a mark of infamy. After the Empire became Christianized any person who swore falsely upon the Gospels was sentenced to have his tongue cut out. The canons of the early church imposed 11 years' penance. In some countries the perjurer was liable to any punishment to which his false testimony had exposed an innocent person. In England perjury was punished by fine, the pillory, and imprisonment. It is now in both England and America a statutory offense, punishable by fine or imprisonment, or both.

Perkins, Benjamin W., claim of, against Russia, VI, 628.

Permanent Taxation. (See Revenue, Public; Taxation.)

Pernicious Activity.—A phrase contained in an Executive order of President Cleveland. It occurred in the following sentence: "Individual interest and activity in political affairs are by no means condemned. Officeholders are neither disfranchised nor forbidden the exercise of political privileges, but their privileges are not enlarged nor is their duty to partly increased to pernicious activity by officeholding" (VIII, 494).

Perpetual Emigrating Fund Co., suit instituted by Government for termination of, discussed, VIII, 794.

Perry, Benjamin F., provisional governor of South Carolina, appointed, VI, 326.

Perry, Horatio J., mentioned, V, 541.

Perry, Matthew C.:

Directed to protect rights of American fishermen in British possessions, V, 158.

Report of, on light-houses of England and France, III, 602.

Perry, Oliver H.:

Death of, referred to, II, 62.

Victory of naval forces under, on Lake Erie discussed, I, 534.

Perry, Roger, commander in Navy, nomination of, and reasons therefor, VI, 153.

Perryville (Ky.), Battle of.—Oct. 1, 1862, the Confederate forces under Bragg and Kirby Smith having united at Frankfort, Ky., Bragg issued a proclamation calling the people of Kentucky to his assistance. He inaugurated a provisional government at Frankfort, with Richard Hawes as governor. Buell's army, divided into 3 corps, under McCook, Gilbert, and Crittenden, advanced against the Confederates by way of Louisville. Oct. 8 McCook's corps was attacked near Perryville, and after a fight lasting all day Bragg's army was repulsed. The engagement, while not general all day, was severe. During the night the Confederates retired, and later retreated to Cumberland Gap, leaving 1,200 wounded and sick behind. The Federal losses were 916 killed (including Generals Jackson and Terrell), 2,943, wounded, and 489 missing—a total of 4,348. The Confederates lost 510 killed, 2,635 wounded, and 251 missing—a total of 3,396.

Persia.—A country of western Asia. The

native name is Iran. It is bounded on the north by Russia, the Caspian Sea, and Russian Central Asia, on the east by Afghanistan and Baluchistan, on the south by the Arabian Sea, the Strait of Ormuz, and the Persian Gulf, and on the west by the Persian Gulf and Turkey. It extends 900 miles from east to west and 700 miles from north to south. The surface is largely mountainous table-land. Much of the country is desert and without drainage to the sea. Wheat, fruit, and sugar are produced. The leading manufactures are silks, carpets, shawls, embroidery, etc. The Government is an absolute monarchy under a hereditary Shah. The inhabitants are mostly Persians, though there are many Turks, Armenians, and Kurds. The prevailing religion is Mohammedanism. According to the most reliable authority, the ancient Persians came to Elam (the original name of Persia) from Parsua, near Lake Urumiah, the traditional birthplace of Zoroaster, about 600 B. C., and about 549 B. C., under Cyrus the Great, overthrew Astyages. The monarchy of the Medes and Persians rose to power under Cyrus, Cambyses, and Darius. The country was overcome by Alexander the Great 333 B. C., and ruled by him and the Seleucidæ until the rise of the Parthian Monarchy, about the middle of the third century B. C. The prosperity of the Empire was at its height during the sixth and seventh centuries. It has been engaged in wars with all the powers of the ancient world, and in modern times has fought with Russia (in 1827) and Great Britain (1856-57). Persia has an area of 628,000 sq. miles and a population of about 9,500,000.

Persia:

Diplomatic relations with, V, 446; VIII, 91, 131, 174, 503.

Diplomatic representation of, in United States, VIII, 783.

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Personal-Liberty Laws.—A name given to laws passed by some of the Northern States for the purpose of impeding the operations of "fugitive-slave laws." In 1840 and the years immediately prior and subsequent thereto most of the Northern States enacted statutes for the protection of negroes within their borders. Indiana and Connecticut had previously provided that fugitive slaves might have trial by jury. After the Prigg decision many of the States forbade the use of their jails for the detention of fugitives. The bitter opposition in the North to the fugitive-slave law of 1850 induced many of the State legislatures to enact personal-liberty laws. Besides prohibiting the use of State jails, these laws forbade State judges and officers to assist claimants or issue writs. Trial was to be given all alleged fugitives. Such acts were passed by Vermont, Connecticut, Rhode Island, Massachusetts, Maine, Michigan, Wisconsin, Kansas, Ohio, and Pennsylvania, and heavy penalties were pro-

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vided for their violation. New Jersey and California alone of the Northern States sanctioned the return of fugitives. It was claimed by the people of the South that these laws were in violation of Article IV, section 2, of the Constitution, which reads as follows: "No person held to service or labour in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due."

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Peru.—A Republic of South America. It is bounded by Ecuador on the north, Brazil and Bolivia on the east, Chile on the south, and the Pacific Ocean on the west and southwest. The western part is traversed by 3 ranges of the Andes, inclosing several high plateaus. In the northeast are vast wooded plains which are drained by the Amazon River. The country is rich in gold, silver, and other minerals. It produces lumber, cinchona, cocoa, india rubber, wool, sugar, petroleum, spirits, borax, cotton, etc. It is governed by a President and a Congress consisting of a Senate and House of Representatives. The prevailing language is Spanish and the religion is Roman Catholic. The country, which had been highly developed under the Incas, was conquered by the Spaniards under Pizarro in 1533-34. Independence was proclaimed in 1821. Peru has suffered from frequent revolutions and has several times been ravaged by earthquakes. A war with Chile began in 1879. Lima, the capital, was entered by the Chileans in 1881. By the treaty of 1883 Peru ceded Tarapacá to Chile and granted temporary occupancy of other provinces. Peru has an area of 695,733 sq. mile and a population estimated at 4,609,999.

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Petersburg (Va.), Siege of.—When Grant crossed the Rapidan, May 4, 1864, with the Army of the Potomac to operate against Lee, he ordered Gen. Butler, with the Army of the James, to proceed up the James River toward Richmond. Butler's army consisted of the Tenth and Eighteenth army corps, under Generals Gillmore and W. F. Smith, and numbered 38,648 officers and men and 90 guns. May 5 he occupied City Point and Bermuda Hundred, 18 miles southeast of Richmond. On the evening of May 13 and the morning of the 14th he carried a portion of the first line of defenses of Richmond at Fort Darling, on Drury's Bluff. On the 16th Butler was attacked and driven back to Bermuda Hundred. June 10 he sent a force under Gillmore and Kautz against Petersburg. The cavalry entered the town, but

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were driven back, and the expedition returned to Bermuda Hundred. June 15, after a march of 55 miles from Cold Harbor in 2 days, Grant was ready to cross the James. The army of 130,000 men crossed by pontoon bridge in 3 days. The two armies were now united and prepared for final operations against Richmond. The first step toward taking Richmond seemed to be the occupation of Petersburg, 22 miles to the south, on the Richmond and Petersburg Railroad. June 16, 1864, after the junction of the Army of the James and the Army of the Potomac, an attack was made on Petersburg by W. F. Smith's corps. The assaults were continued for 4 days. Reinforcements were sent from Richmond to defend the place, and the attempts cost Grant 7,881 men. During parts of June and July a powder mine was dug beneath portions of the Petersburg intrenchments. It was intended to explode this and make an assault through the breach thus made. The mine, known as "the Crater," was charged with 8,000 pounds of powder, and at 4 o'clock a. m. July 30, 1864, was exploded. A Confederate battery and most of a regiment were blown up. The assault, which was made by 50,000 men under Burnside, Warren, and Ord, was a total failure, and 4,000 men were lost in it. Gen. Mahone commanded the Confederate force that recovered the line broken by the explosion. During this siege a number of brilliant sorties were made. The losses in Lee's army are not fully reported. Elliott's brigade lost 677 men. Petersburg was not surrendered until Apr. 3, 1865, nearly a year afterwards.

Petition.—The Constitution prohibits Congress from making any law to abridge "the right of the people peaceably to assemble and to petition the Government for a redress of grievances." Feb. 11, 1790, a petition signed by Benjamin Franklin was offered to Congress praying for the abolition of slavery, but no notice was taken of it. Between 1830 and 1844 numerous petitions from Abolitionists poured into Congress. May 26, 1836, the House resolved, by a vote of 117 to 68, that "all petitions, memorials, resolutions, propositions, or papers relating in any way to the subject of slavery or the abolition of slavery shall, without being printed or referred, be laid on the table, and that no further action be taken thereon." This was the first of the famous "gag rules" of Congress. John Quincy Adams championed the cause of the Abolitionists and opposed the gag rules for 10 years, finally securing their repeal. In 1837 he presented a petition to Congress purporting to come from slaves. This was the first of the kind ever offered, though in 1800 Congress was thrown into an uproar of debate by a petition from freed negroes. In his annual message to Congress Dec. 2, 1835, President Jackson asserted that publications addressed to the passions of slaves and stimulating them to insurrection were being circulated through the mails, and suggested laws to prohibit, under severe penalties, such circulation (III, 175). One of the most noted laws under this recommendation was the Atherton gag, introduced by C. G. Atherton, of New Hampshire. It was rescinded in 1845. The rules of Congress now provide that petitions, when presented, shall be indorsed

with the name of the member presenting them and the committee to which they are referred. They are entered by the Clerk on the Journal and then transmitted to the proper committee. The notice of their introduction appears in the Congressional Record.

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Pettaquamscut Purchasers.—In 1660 John Hull, who had become well known through his coinage of pine-tree money (q. v.), organized a company and purchased a tract of land from the Narraganset Indians, about Pettaquamscut Rock, on the south shore of Rhode Island, between Point Judith and Wickford. About the same time lands near Wickford had been purchased by a company headed by Humphrey Atherton, of Massachusetts, the two companies claiming the same territory. When the boundary line between Connecticut and Rhode Island was settled, in 1662, the Atherton Company had its region placed under the government of Connecticut. In 1665 the royal commission ordered the Indians to return the price paid by the Atherton Company and that the lands be returned to them. The disputed territory became the King's province. It was later made part of Rhode Island and was known as King's County until the Revolution, when the name was changed to Washington County. It was a subject of contention between Connecticut and Rhode Island for 50 years.

Pewter Muggers.—A faction of the Democratic party in New York City which in 1828 bolted the Tammany candidates. These dissatisfied Democrats held their meetings over a resort in Frankfort street, New York, locally famous for its refreshments served in pewter mugs; hence the name.

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Philadelphia (Pa.), Occupation of.—The defeat of Washington's army at Brandywine Creek and the disaster to Wayne's forces at Paoli rendered Howe's occupation of Philadelphia merely a successful maneuver. Sept. 25, 1777, he entered Germantown, and the next day sent Cornwallis to occupy Philadelphia. The occupation was effected without a battle.

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Philippine Islands.—The Philippine Islands form a great part of the vast archipelago lying southeast of Asia. They were discovered by Magellan in 1521, but it was not until 1564 that the group received its present name, in honor of Philip II of Spain. In many respects these islands were Spain's best possessions, due to the abundance and variety of products, numerous and good ports, character of inhabitants, and on account of the vicinity of certain countries of eastern Asia which are now entering upon a stage civilization and commerce. From the year of discovery until 1542 several expeditions from Spain attempted to gain possession of the islands, but all failed. In 1564 another expedition, commanded by Miguel de Legaspi, was dispatched and a footing established in Cebu. Headquarters were later transferred to Luzon, and in 1571 the city of Manila was founded. Various attempts to drive out the Spaniards were made during the following years by the Portuguese, Dutch, and Chinese. In 1762 Manila was taken and held by the English for a ransom of £1,000,000. This, however, was never paid, and the islands were finally returned to Spain. The archipelago extends from lat. 5° 32' to 19° 38' north and from long. 117° to 126° east. It thus covers about 1,000 miles north and south and 600 east and west. On the north and northwest the islands are separated from China by the China Sea and the Indo-Chinese Peninsula. Toward the east is the Pacific. On the north a number of small islands stretch out toward Formosa. On the south, while a double connection is formed with Borneo by the lines of the Palawan, Balabac, and Sulu islands, the basin of the Celebes Sea extends for a distance of 300 miles between the southernmost island (Mindanao) and the Celebes. The number of islands is not definitely known, but it is variously estimated at from 1,200 to 2,000. New ones are being continually added to the maps. Some members of the vast archipelago, as well as the more

remote districts in the larger islands, lying beyond the direct control of the Spanish, have remained unexplored. The principal islands are Luzon, Mindanao, Palawan, Samar, Panay, Mindoro, Leyte, Negros, Cebu, Masbate, Bohol, Catanduanes, Polillo, Marinduque, Tablas, Burias, and Ticao. The coast line of all the islands is very irregular and broken, the ocean cutting in and forming many gulfs, bays, isthmuses, and peninsulas. There are long stretches of canals and passages between the islands, but these are not always navigable. The whole surface of the Philippines is essentially mountainous, the only plains that occur being alluvial districts at the river mouths and the spaces left by the intersection of the ranges. The principal ranges have a tendency to run north and south, with a certain amount of deflection east and west, as the case may be, so that the orographic diagram of the archipelago as a whole has a similarity to a fan, with northern Luzon as its center of radiation. The three lines of partially submerged ridges stretching from Indonesia toward the Philippines, running north and south, continue their main axis and strike the southern part of the same region at the Sarangani Volcano. East of this range is found a broad chain, occupying all the eastern section of Mindanao, which borders on the Pacific. While none of the mountain peaks greatly exceeds 8,000 feet in height, Apo, in Mindanao, is over 9,000 feet; Halson, in Mindoro, is over 8,000 feet, and Mayón, in Luzon, over 8,200. The latter is an active volcano, which has been the scene of several eruptions during the present century. Extinct or active craters are relatively as numerous in the Philippines as in the eastern archipelago, and as a consequence of these subterranean forces earthquakes are frequent and violent. In 1627 one of the most elevated mountains of Cagayan disappeared, and on the island of Mindanao, in 1675, a passage was opened to the sea and a vast plain emerged. The more recent of the convulsions occurred in 1863 and in 1880. The destruction of property was great, especially in Manila. The general belief is that the Philippines once formed a part of an enormous continent, from which they were separated by some cataclysm. This continent probably extended from Celebes to the farthest Polynesian islands on the east, to New Zealand on the south, and to the Ladrone and Sandwich islands on the north. The immense coast line of the islands contains a great number of good harbors, but as a consequence of the exclusive policy of the Spanish Government in closing them to foreign commerce very little is known except to coast-wise navigators. Trade is confined chiefly to Manila, Iloilo, Cebu, and Sual. Zamboanga, on the island of Mindanao, is also an open port. The bay of Manila, one of the finest in the world, is about 120 miles in circumference, with very few dangers to navigation. Of the interior roads little can be said, and of those running along the coast positive information is not available. The extreme length of the Philippine group from north to south,

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their northern extremity reaching to the northern limit of the tropical zone, causes a considerable variety of climate. However, the general characteristics are tropical. In the region of Manila the hottest season is from March to June, the greatest heat being in May, before the rains set in, when the maximum temperature ranges from 80° to 100° in the shade. The coolest weather occurs in December and January, when the temperature falls at night to 60° or 65° and seldom rises in the day above 75°. From November to February the sky is bright, the atmosphere cool and dry, and the weather in every way delightful. The gales of the Philippines occur chiefly in the northern islands, and their direction is from the northward. Typhoons have their origin to the east or to the southeast of the Philippines, whence their course is westward, with a slight divergence to the north or south, the average direction appearing to be west by north. They occur in all months of the year, but the greater number take place about the time of the equinoxes. Among the Philippine Islands when the sun has north declination the higher tides about spring occur during the day, and when it has south declination during the night. The population has been estimated at about 8,000,000, of which the bulk is of Malay origin. On their first arrival the Spaniards found a part of the natives somewhat civilized, but while they had a written language, of which some specimens have been preserved, it was of no value in throwing light upon their early history, and their traditions are very few. The soil is most fertile, but agriculture almost wholly undeveloped. The people are skillful weavers of cotton and silk. They tan leather and make rude wagons and carts. The islands are very rich in woods, ebony, cedar, ironwood, sapanwood, logwood, and gum trees being plentiful. Gutta-percha is found in certain localities. The cocoa palm is of great value, trunk, branches, leaves, fruit, shell, and husk all being used. Bamboo and areca palm are abundant and of great utility. Two woods—the “banava” and the “malave”—resist the destructive action of water for centuries. Many plants have medicinal value. Mangoes, plantains, jack fruits, and the Malayan fruits are met with. Rice is the staple food, but often not enough is raised to supply the demand. Potatoes, pease, and even wheat are raised in the higher localities. Deer abound in the thickets of all the islands. There are also many buffalo (“caravaos”) and wild horses. The buffalo, called “karbo” by the Malays, is the great beast of burden. It is very strong and docile if domesticated, but dangerous in the wild state. The Philippine horse is small and of poor appearance, but it is a strong and sturdy animal. The bull (of Spanish origin) has propagated his species very numerously, and is found wild. There are various kinds of monkeys, mountain cats, and the “nasigan,” a small quadruped that is an enemy to rats. Among reptiles are found the “boa” or “culebra casera,” the python, and the terrible “dehenpalay.”

The bite of the latter is almost instantly fatal. Of birds there are many species. Fish are plentiful and sharks and alligators are found in the seas. Swampy and damp localities swarm with insects, the mosquito being conspicuous. The “anay,” a sort of ant, destroys all wood except the “molane” with astonishing rapidity. From what is known of the mineralogy of the islands there is no doubt that a scientific geological survey would prove that they are rich in ore deposits of many kinds. Gold is found, especially in the mountainous districts of Luzon and on the islands of Mindanao and Mindoro. It is not believed that true coal is to be found in large deposits. Iron ore of excellent quality is abundant, but from lack of means of transportation and machinery it has so far been found cheaper to depend upon importation. Rich deposits of copper exist, and galena and zinc blendes have been found. Sulphur is found in the vicinity of many of the ancient volcanoes. Early commerce with the world was greatly restricted by the efforts of Spain to secure a monopoly for her subjects. It was not until 1809 that the first English firm obtained permission to establish a business house in Manila. In 1814 this permission was more general. It is, however, only since 1834 that greater freedom of intercourse and larger introduction of foreign capital and methods have materially affected the development of natural resources. Internal commerce as well as foreign trade suffer from lack of facilities for transportation. But one railroad has been built, running from Manila to Pangasinán. A single-track road, it is of substantial construction and connects the capital with the rice-growing districts. Great improvements are now being effected, railroads and highroads are being rapidly built. The principal staples of export are tobacco, manila hemp, sugar cane, coffee, and cacao. The principal manufactures consist of a variety of textile fabrics, hats, mats, baskets, ropes, coarse pottery, and musical instruments. The chief imports are rice, flour, dress goods, wines, coal, and petroleum. The Philippine Islands came into the possession of the United States as a result of the war with Spain through the treaty of Paris, December 10, 1898. Two days before the ratification of the treaty the Filipinos, under Aguinaldo, attacked the American soldiery in Manila and an insurrection was set on foot which lasted for two years. Military rule prevailed in the islands until July 1, 1901, when civil government was established. The principal officers of the government are Americans appointed by the United States Government but provincial and municipal officials are natives elected by popular vote. The governor-general is Henry C. Ide, assisted by a vice-governor and four secretaries of finance, interior, instruction, and commerce. In December, 1901, the Supreme Court of the United States decided that free trade existed between this country and the Philippines until Congress provided for a tariff. Accordingly a tariff bill was immediately introduced which became law in March, 1902; this tariff has since been frequently modified till, at the present time, there is free trade with this country in all articles except sugar, rice, and

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tobacco. A general amnesty was granted to all except criminals under the common law and rebels who persisted in remaining under arms on July 4, 1902. The Roman Catholic religion owns the allegiance of the vast majority of the Filipinos and the religious orders, especially the Dominicans, Augustinians and Franciscans were particularly strong in the islands. During the three centuries of their work in the Philippines the orders had acquired considerable property which was sold, after protracted negotiations, to the government for \$7,239,784. These lands are being gradually resold. In 1903 the first general election was held to select delegates to the Philippine Assembly, which, with the nominated Philippine Commission of eight members, forms the legislative branch of the government. In March, 1903 Congress provided a new coinage for the islands, the unit of value being the gold peso (value 50 cents) divided into 100 centavos. An educational system has been established upon American lines, the islands are policed by a semi-military force and a supreme court has been provided with four American and three Filipino justices. Under American rule commerce has improved considerably, for the year ending December 31, 1904, the total exports amounted to \$30,250,607 and the imports to \$33,220,761; besides the United States, the principal countries trading with the Philippines are Great Britain, China, and Spain. According to the census taken in 1903 the total population was 7,635,426 of which 6,987,686 were civilized and 647,740 were wild people.

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Pilcher, J. E., act for relief of, vetoed, VIII, 668.

Pilgrim Fathers.—A name given by William Bradford in his journal to certain emigrants under the leadership of Bradford, Brewster, Cushman, Carver, and Miles Standish, who came to New England early in the seventeenth century on account of religious differences in England and founded the colony of Plymouth. Those who came in the first 3 ships are also called "old comers" or "forefathers." The first ship, the *Mayflower*, arrived on the coast in December, 1620, and had on board 108 souls. The *Fortune* came in November, 1621, with 29, and the *Anne* and the *Little James* came in August, 1623, bringing 46 persons. In religion the Pilgrims were Separatists or Independents, while the settlers of Massachusetts Bay were Puritans, who at first adhered to the Church of England and endeavored to purify it.

Pillow, Gideon J., courts of inquiry in case of, referred to, IV, 594, 604.

Pinal Mountains Forest Reserve, proclaimed, X, 867.

Pinchot, Gifford, mentioned, X, 653.

Pinckney, Charles:

Minister to negotiate treaty with Spain, nomination of, I, 351.

President Jefferson notified of election by, I, 320.

Pinckney, Charles C.:

Minister to France and envoy extraordinary, nomination of, I, 245.

Pinckney, Thomas:

Mentioned, II, 320, 396.

Minister to negotiate with Spain, nomination of, I, 172.

Pine Mountain and Zaca Lake Forest Reserve, mentioned, X, 722.

Pine Ridge Sioux Indian Reservation, addition of, X, 797.

Pine-Tree Money.—On May 27, 1652, the general court of Massachusetts passed an act establishing a mint at Boston. John Hull was appointed mint master, and he began the coinage of shillings, 6d. pieces, and 3d. pieces. This was called pine-tree money from a design on the obverse of a pine-tree encircled by a grained ring, with the legend "Masachusetts. In." The coinage was discontinued on the death of the mint master, Oct. 1, 1683.

Pines, Isle of, referred to, X, 557.

Pinckney, William:

Commissioner appointed by United States under treaty with Great Britain, I, 196.

Minister to Russia, nomination of, I, 572.

Minister to settle questions with Great Britain, nomination of, I, 402.

Letter received by Secretary of State from, I, 471.

Piracy.—Robbery on the high seas. In the law of nations the essential element of piracy is the intention of preying indiscriminately on the human race, and not a desire to interfere with the trade of some distinct power. As the high seas are not under the jurisdiction of any one state, the crime of piracy is triable in any court. The difference between a pirate and a privateer consists in these facts, that whereas the former is a sea rover who preys on the vessels and goods of any nation he may chance to run across, or who makes descents upon land for purposes of plunder, a privateer, on the other hand, has for his purpose the preying upon the commerce of a hostile nation only; he is under bond to the state whose flag he flies and of which he car-

Piracy—Continued.

ries the commission or letter of marque granting him a share in the prizes taken. A privateer exceeding his commission might not be considered a pirate, but one with commissions from two opposite belligerents would be, for it would be apparent that his motive would be plunder of both. A vessel of a part of a country organized for rebellion has been held to be piratical because, although it may have a commission, such commission issued by an unknown and unrecognized power can not be admitted as valid, as it offers no guaranty of legal belligerent behavior. Piracy in the international sense of the word, however, is a crime against all nations; but any nation may class other crimes under this head. The United States in 1820 made the slave trade piracy for any of its citizens on any ship and for persons not citizens on any of its vessels. Notwithstanding this law passed by the United States, slave trading was not piracy in the international sense of the word. Search of a vessel by a public ship of another state is a war right only, but the right to search on suspicion of piracy exists at all times. The usual penalty for piracy is the confiscation of the vessel and hanging of the crew, while the penalty for privateering is at most imprisonment. (See also Privateering.)

Piracy:

- Cuba, piracies from, suppressed, II, 213.
- Gulf of Mexico, force employed in, for suppression of, II, 257.
- Mediterranean Sea infested with piracies, II, 363.
- Practice of—
 - Death penalty for, discussed, IV, 349.
 - Must be suppressed, II, 279.
- Prizes captured by pirates, recommendations regarding recapture of, VI, 47.
- Puerto Rico, piracies from, suppressed, II, 214.
- Sumatra, American vessels attacked by pirates on coast of, II, 596.
- Vessels instructed to defend themselves against, VI, 47.
- West Indies, II, 189, 196, 418.
- Suppression of, in, II, 363.
- Piron, Pierre, claims of, against United States, V, 47.
- Pitcairn, Joseph, vice-consul to Paris, nomination of, I, 173.
- Pitner, George W., act granting pension to, vetoed, VIII, 703.
- Pittsburg Landing (Tenn.), Battle of. (See Shiloh (Tenn.), Battle of.)
- Pi-Ute Indians, agreement with, for right of way for railroads, VIII, 149, 189.
- Plague, The (see also Contagious Diseases; International Sanitary Conference; Quarantine Regulations):
 - Regulations to prevent introduction of, into United States, VII, 549.
 - Revoked, VII, 557.
- Plaster of Paris, restriction on importation of, removed by proclamation, II, 34, 36.
- Platforms.—In politics the platform of a party is the public declaration of the principles that the party represents. In May, 1832, a national assembly of young men was held in Washington, D. C., to indorse the nomination of Henry Clay by the National Republican party. They agreed to the first platform ever adopted by a national convention. In

1844 both the Whigs and Democrats drew up platforms, but in 1848 the Whigs refused to commit themselves by a platform. After this time the adoption of party platforms by national conventions became general.

Platt Amendment. (See Cuba.)

Plattsburg, The, surrender of persons charged with murder on board of, referred to, III, 591.

Plattsburg (N. Y.), Battle of.—The overthrow of Napoleon by the allied powers in 1814 released many British soldiers from service in Europe, and several thousand of them were sent to reinforce the little army in Canada. By Aug. 1 Governor-General Prevost had 15,000 troops under his command at Quebec, most of them hardened veterans from the Peninsula. One brigade was sent west. The remainder were held for a contemplated invasion of New York. Wilkinson and Hampton had been retired from the American Army and Gen. George Izard was placed in command of the right wing of the Army of the North May 4, 1814, with headquarters at Plattsburg, N. Y., near the head of Lake Champlain. Notwithstanding it was evident that the British contemplated a descent upon New York by way of Lake Champlain and the Hudson, Izard was detached from his command and sent with 4,000 men to the Niagara frontier, leaving Gen. Macomb in command with about 3,500 men. Sept. 6, 1814, the British army, fully 14,000 strong, already upon American soil, marched toward Plattsburg. Maj. Wool, with a body of about 300 regulars, met the invading army at Beekmantown, about 4 miles north of Plattsburg, and subjected it to a harassing fire all the way to the Saranac River. Wool's retreating column crossed the stream to South Plattsburg and destroyed the bridges. Though in overwhelming force, the British army was checked, with a loss in killed and wounded of more than 200 men. The American loss was 45. From Sept. 7 to 11 Prevost's army rested, preparatory to acting in conjunction with the fleet on Lake Champlain. On the 11th, while the forces of Macomb and Prevost contended on land, a desperate naval battle was fought on Lake Champlain between the American and British fleets, the former under Macdonough and the latter under Downie. This battle lasted for 2 hours, resulting in victory for the Americans. The British lost 200 men and the commodore of the fleet. The news of the naval victory reached the contending armies at a critical point of the battle and turned the tide in favor of the Americans. Prevost fled with his army to Champlain, leaving behind his sick and wounded and large quantities of stores. Sept. 24 the British returned to Canada, having lost in the expedition about 2,000 men.

Plattsburg, N. Y., battle of, British troops defeated in, I, 549.

Pleasant Hill (La.), Battle of.—After the defeat of the Federal army under Gen. Banks at Sabine Cross Roads, Apr. 8, 1864, it retreated by way of Pleasant Grove to Pleasant Hill, about 48 miles south, where Banks was joined by Gen. A. J. Smith with 10,000 men. Occupying a strong position here, the Federals awaited the pursuing force under Kirby Smith and Dick Taylor. Apr. 9, about 4 o'clock in the afternoon, the Confederates

- Pleasant Hill (La.), Battle of**—*Continued.*
came up and began the attack. In the battle which ensued they were checked and some of the guns they had taken the day before at Sabine Cross Roads were retaken. Banks now returned to the Red River at Grand Ecore, having lost in the campaign 18 guns, 5,000 men, 130 wagons, 1,200 horses, and many small arms.
- Pleuro-Pneumonia** among cattle discussed, VII, 626, 628; VIII, 184, 527, 798; IX, 329, 455.
- Plum Creek Timber Land Reserve**, superseded, XI, 914.
- Plumas Forest Reserve**, proclaimed, X, 871.
- Plymouth Colony**.—The earliest settlement in Massachusetts. It was founded by a party of English Separatists who arrived in this country Dec. 21, 1620, and landed for permanent settlement in the following January. These Separatists were dissenters from the Church of England. Unlike the Puritans, who sought to purify the church, they regarded such purification as hopeless, and therefore advocated and practiced separation. The Plymouth colonists came to America from Delft, Holland, whither they had emigrated from Plymouth, England. One of the chief objects in coming to America was to enjoy their religion without molestation. The company named their settlement Plymouth, partly because it had been so called by Capt. John Smith, who had previously surveyed the harbor, and partly because the people of Plymouth, England, had treated them kindly. Miles Standish was made captain, with military authority, soon after landing, and John Carver was chosen the first governor of the colony. They entered into a treaty with Massasoit, chief of the Wampanoags, which was faithfully kept for 55 years. No royal charter was ever granted. With the arrival of the ship *Fortune* and 29 immigrants in 1624 came a land patent from the Council for New England. The patent did not fix territorial limits, but allowed 100 acres of land to each immigrant and 1,500 for public buildings, and empowered the grantees to make laws and set up a government. After enduring many hardships and privations the first colonists were joined by others from England and material prosperity followed. Plymouth Colony became a member of the New England Confederation in 1643. By the Massachusetts charter of 1691 it was united with the Colony of Massachusetts Bay.
- Plymouth Company**.—In 1606 a company of merchants of Bristol and Plymouth, England, were incorporated under a charter granted by James I. and called the North Virginia Company. They became a rival of the London Company. In 1607, having obtained a grant of land between Long Island and Passamaquoddy Bay, they sent out 2 ships carrying a company of colonists commanded by George Popham. A settlement was attempted on the Kennebec, but Popham died and the other colonists returned home. The company continued to exist till 1620, when it was reorganized as the New England Company or Council for New England.
- Plymouth, N. C.**, capture of, referred to, VI, 257.
- Pocatella Forest Reserve**, proclaimed, X, 621.
- Pocatello, Idaho**, referred to, X, 477, 478.
- Pocket, The**, convention with Texas for adjustment of claims in case of, III, 469.
- Pocket, Vetoes**. (See the several Presidents; the several messages.)
- Poinsetter, George**:
Commissioner to investigate affairs of New York custom-house, IV, 152.
Notes and bills discounted at Bank of United States for benefit of, inquired into, III, 127.
- Poinsett, Joel R.**:
Correspondence regarding Canadian outrages on American frontier, III, 401.
Minister to Mexico, recall of, requested, II, 447.
Letter of, to Mr. Clay regarding pledge to Mexico referred to, II, 341.
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Reports regarding Canadian outrages on American frontier, III, 401.
- Point Barrow, Alaska**, refuge station established at, IX, 41.
- Points, Abraham**, act granting pension to, vetoed, VIII, 481.
- Polar, Melissa G.**, act for relief of, returned, VIII, 218.
- Polar Congress, International**, at Hamburg, Germany, VII, 583.
- Policy, Foreign**. (See Foreign Policy.)
- Political Prisoners**. (See War between the States.)
- Polk, James K.** (eleventh President United States):
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Monroe doctrine reasserted by, IV, 398, 540, 582.
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Powers of Federal and State Governments discussed by, IV, 460, 606, 610, 640, 656.
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- Brazil, IV, 522.
- France, IV, 521.
- Existence of war between United States and Mexico, IV, 470.
- Extraordinary session of Senate, IV, 689.
- Privileges of other ports granted Lewiston, N. Y., IV, 469.
- Retrocession of Alexandria County to Virginia, IV, 470.
- Treaty with Mexico, IV, 627.
- Request of House for—
 - Account of expenses for foreign intercourse refused, IV, 431.
 - Information regarding foreign intercourse refused by, IV, 566, 602.
 - Referred to, IV, 679.
- Request of Senate for information regarding annexation of Texas refused by, IV, 382.
- Slavery discussed by, IV, 640.
- State of the Union discussed by, IV, 471, 532, 629.
- Tariff discussed by, IV, 403, 451, 498, 516, 553, 647, 656.
- Texas, relations with, discussed by. (See Texas.)
- To cultivate peace and good will with all nations, policy of American people, IV, 533.
- Veto messages of—
 - Continuing works in Wisconsin, reasons for applying pocket veto, IV, 610.
 - French spoliation claims, IV, 466.
 - Improvement of rivers and harbors, IV, 460.
- Veto power of President discussed by, IV, 662.
- Warehousing system, discussed by, IV, 555.
- Polk, William**, district supervisor, nomination of, I, 99.
- Poll Tax.**—An individual or head tax levied upon the male citizens of some foreign countries and a portion of the United States. The Federal Government has the power to levy such a tax in proportion to the census (I, 26), but has never exercised it. Before the Revolution the Colonies levied poll taxes at various times. In 1898 27 States and Territories levied and collected a poll tax. Some States, as South Carolina, have constitutional provisions for levying the poll tax. In Ohio and some other States any tax on polls is prohibited by the constitution. In others, as in Massachusetts and Tennessee, its payment is made a qualification for voting. Many of the States devote their revenues from poll taxes to free schools.
- Polygamy** (see also Mormon Church):
 - Discussed by President—
 - Arthur, VIII, 57, 144, 184, 250.
 - Buchanan, V, 454.
 - Cleveland, VIII, 361, 794.
 - Garfield, VIII, 11.
 - Grant, VII, 151, 203, 355, 356.
 - Harrison, Benj., IX, 118, 206.
 - Hayes, VII, 559, 605.
 - Pardons granted persons guilty of unlawful cohabitation under color of polygamous marriage, IX, 368, 510.
- Ponca Commission**, appointment and report of, discussed, VII, 630.
- Ponca Indians:**
 - Commission appointed to investigate condition, etc., of, report of, discussed, VII, 630.
 - Treaty with, II, 321, 346; V, 484; VI, 62.
- Poncarar Indians**, treaty with, II, 20.

Ponce, Puerto Rico:

- Land reserved for custom house at, X, 618.
- Pier and wharves at, X, 551.
- Railroads at, X, 677, 841, 842.
- Ponce and Guayama Railroad Company, concession to, X, 842.
- Ponce Railway and Light Company**, concession to, X, 841.
- Pontiac's War.**—A War between the English garrisons and settlers on the western frontier and a confederacy of the Delaware, Shawnee, Mingo, Ottawa, Chippewa, and other Indian tribes, led by Pontiac, an Ottawa chief. Pontiac assembled a great council of Indians near Detroit Apr. 27, 1763, and unfolded his plans for retarding or preventing white settlers locating west of Pittsburg. To capture Detroit was Pontiac's special task, and May 7 was the date selected, but the commander of the post was warned of the plot by an Indian girl, and the attempt was not made. The town was surrounded, however, and July 31 the garrison made a night attack on the Indians, in which 59 English were killed or wounded. Oct. 12 Pontiac raised the siege and retired. Forts Sandusky, St. Joseph, Miami, Ouatanon, Mackinaw, Presque Ile, Le Boeuf, and Venango were taken and their garrisons massacred by the Indians in this war. A treaty of peace was made in 1766. Pontiac was murdered by a Kaskaskia Indian in 1769.
- Pontifical States.** (See Italy; Papal States.)
- Poor Richard's Almanac.**—In 1732 Benjamin Franklin began the publication of Poor Richard's Almanac. It contained many homely but very striking maxims, and for this reason became famous.
- Pope, Benjamin F.**, assistant surgeon in Army, nomination of, and reasons therefor, VII, 321.
- Pope, John:**
 - Directed to assume command of Military Division of Pacific and Department of California, VIII, 167.
 - Instructions to, referred to, VI, 628.
 - Mentioned, VI, 144.
- Pope of Rome**, sentiments of regard for President conveyed, referred to, V, 228.
- Popular Sovereignty.**—This was the name applied to the doctrine that the principle of slavery "should be kept out of the National Legislature and left to the people in their respective local governments." In 1847 the doctrine was thus stated substantially by Lewis Cass. Many of the Northern Democrats indorsed it. On the other hand, Mr. Calhoun contended that a man's right to his property, even if it was in slaves, should everywhere be maintained, and that a man could take his slaves into any Territory regardless of the wishes of the inhabitants thereof. Mr. Douglas was the chief supporter of the former doctrine. He maintained that it was the basis of the compromise of 1850. Another effort was made to apply it in the Kansas-Nebraska bill. Calhoun nicknamed the doctrine "squatter" sovereignty. It was charged that the inhabitants of some of the Territories had become citizens thereof for political purposes only and were only "squatters," or temporary tenants, on the lands of others.
- Population.**—The first United States census having been taken in 1790, all population figures previous to that date are based upon

Population—Continued.

estimates. Figures obtained from the best possible sources place the population of New Hampshire in 1700 at about 5,000; Massachusetts and Maine, 70,000; Rhode Island, 6,000; Connecticut, 25,000; New York, 25,000; New Jersey, 14,000; Pennsylvania, and Delaware, 20,000; Maryland, 30,000; Virginia, 80,000, and the Carolinas, 15,000. By 1750 the thirteen Colonies are thought to have contained nearly 1,500,000 inhabitants, and at the breaking out of the Revolutionary War something less than 3,000,000. The population of New England was almost purely English; that of New York largely Dutch. Pennsylvania and the Colonies to the southward contained many German, Scotch-Irish, and a few Huguenot settlers, and South Carolina many of the last named. The census of 1790 showed a total population of 3,929,214; that of 1800, 5,308,483; 1810, 7,239,881; 1820, 9,633,822; 1830, 12,866,020; 1840, 17,069,453; 1850, 23,191,876; 1860, 31,443,321; 1870, 38,558,371; 1880, 50,155,783; 1890, 62,622,250; 1900, 76,303,387.

Population. (See Census.)

Population, Center of.—At the time of the First Census, in 1790, the center of population in the United States lay some 23 miles to the east of Baltimore. In 1800 it was about the same distance west of Baltimore; in 1810, about 40 miles west-northwest of Washington; in 1820, 16 miles north of Woodstock, Va.; in 1830, 19 miles west-southwest of Moorfield, W. Va.; in 1840, 16 miles south of Clarksburg, W. Va.; in 1850, 23 miles southeast of Parkersburg, W. Va.; in 1860, 20 miles south of Chillicothe, Ohio; in 1870, 48 miles east by north of Cincinnati, Ohio; in 1880, in Kentucky, 8 miles west by south of Cincinnati; in 1890, 20 miles east of Columbus, Indiana, and in 1900, 6 miles southeast of the same town. The center of the Negro population is near Rome, Ga., and is moving gulfward. The center of population is about three quarters of a degree south and more than 13 degrees east of the center of area.

Pork Products. (See Animals and Animal Products.)

Port Gibson (Miss.), Battle of.—On the night of Apr. 16, 1863, the Federal gunboats under Admiral Porter succeeded in running past the batteries at Vicksburg. Grant ordered Sherman to make a feint on the Confederate batteries at Haines Bluff, above Vicksburg, while Porter covered the landing of McClernand's and McPherson's corps at Bruinsburg, a few miles below Grand Gulf. Immediately upon landing McClernand pushed forward toward Port Gibson. A march of 8 miles brought him in sight of the Confederates, whom he forced back until dark. The next day (May 2) the Confederates held a strong position, which they stubbornly defended. That night the troops slept on their arms. During the night the Confederate forces retired across the Bayou Pierre, pursued next day by McPherson's corps. The Federal loss was 131 killed, 719 wounded, and 25 missing—a total of 875. One thousand prisoners and 5 cannon were taken from the Confederates.

Port Hudson (La.), Surrender of.—As early as August, 1862, the Confederates began to fortify Port Hudson, a point on the Mississ-

ippi River in Louisiana, at the terminus of the Clinton and Port Hudson Railroad, 25 miles above Baton Rouge and 147 above New Orleans. Dec. 14, 1862, Maj. Gen. N. P. Banks took command of the Department of the Gulf, and in March, 1863, made a demonstration against Port Hudson while Farragut's fleet attempted to run the batteries to assist Porter in the naval investment of Vicksburg. The attempt was a failure. May 26, 1863, Banks again invested Port Hudson, and was reinforced by Maj. Gen. Augur, Brig. Gen. T. W. Sherman, and Gen. Weitzel, increasing his forces to 12,000 men. An unsuccessful assault was made on the 27th, which showed the place to be strongly fortified. Banks lost 2,000 men in the assault. June 14 a second assault was made after a bombardment of several days by Farragut's fleet. This was also repulsed, with a loss of 700 killed and wounded. Banks now invested the place by a series of approaches. July 6 the news of the surrender of Vicksburg reached Port Hudson, and 3 days later Gardner surrendered, with 6,340 men and 51 guns. Besides, the garrison lost about 500 prisoners or deserters before surrender, and about 700 killed and wounded.

Port Republic (Va.), Battle of.—June 9, 1862, the morning after the skirmish between the forces of Ewell and Frémont at Cross Keys, Jackson drew in Ewell, crossed the branch of the Shenandoah, and, destroying the bridges, cut off 2 brigades of Shield's advance from Frémont, defeated them in battle, and captured some 450 prisoners and 800 muskets.

Port Royal, S. C., blockade of, removed by proclamation, VI, 89.

Port Royal (S. C.) Expedition.—Oct. 29, 1861, a strong naval and military expedition left Hampton Roads under command of Commodore Samuel F. Du Pont and Gen. Thomas W. Sherman. The fleet was composed of the steam frigate *Wabash*, 14 gunboats, 22 first-class and 12 smaller steamers, and 26 sailing vessels. The land forces under Sherman consisted of 13 regiments of volunteers, forming 3 brigades and numbering 10,000 men. After a tempestuous voyage the fleet arrived off Port Royal, S. C., Nov. 3. Upon each side of the mouth of the Broad River is an island on which the Confederates had built forts. On Bay Point Fort Beauregard mounted 23 guns, and on Hilton Head, opposite, Port Walker had 6, some of them of the largest caliber. A fleet of 8 steamers lay inside the harbor. The guns of the forts were fully manned by 1,700 South Carolinians, and a field battery with 500 men supported one of them. On the 7th Du Pont brought his gunboats into action. He maneuvered his fleet in a circle around the harbor between the forts, firing broadsides as he passed the Confederate batteries. His shells wrought havoc in the works, but the moving ships were little damaged. For 4 hours the battle raged, when the garrison retreated leaving everything behind. Forty-three guns were captured. Hilton Head was made the center of later naval operations.

Portage Lake, Mich., act authorizing establishment of new harbor lines in, returned IX, 71.

Portaleo Forest Reserve, proclaimed, XI, 1081.

Porter, David:

Frigate in command of, surrenders to British, I, 549.

Mentioned, II, 276.

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Porter, David D.:

Admiral of Navy, death of, announced and honors to be paid memory of, IX, 134, 165.

Captain in Navy, nomination of, VI, 155.

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Porter, Fitz-John:

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Proceedings and report of board in case of, referred to, VII, 522.

Relieved from command of corps, VI, 124.

Sentence of court-martial in case of, in part remitted, VIII, 125.

Porter, Horace, member of court to try assassins of President Lincoln, etc., VI, 336.

Relieved from duty, VI, 336.

Porter, Moses, mentioned, II, 132.

Portland Company, bill for relief of, vetoed, IX, 92.

Portland, Oreg., proclaimed port of delivery, V, 50.

Lewis and Clark Centennial Exposition at, X, 650.

Porto Rico. (See Puerto Rico.)

Ports. (See Rivers and Harbors.)

Portsmouth, N. H., dry dock at, about completed, V, 133.

Site for, II, 368.

Portsmouth, Ohio, act to erect public building at, vetoed, VIII, 567.

Portsmouth, Treaty of.—A treaty of peace between Russia and Japan, at Portsmouth, N. H., September 5, 1905, bringing to a close the war that had been waged between those two countries since February 11, 1904. Shortly after the battle of the Japan Sea, May 27-29, 1905 (see Japan), President Roosevelt, after conference with the Russian Ambassador and the Japanese Minister, sent identical notes to the Governments of the two countries, urging them to begin direct peace negotiations with each other, and offering the services of the United States in bringing their envoys together. Japan accepted the proposition two days later, and Russia within a week. Various places were proposed for the meeting: Paris, The Hague, Chefoo, Geneva, and Washington. As the summer heat made the latter place unsuitable, the United States Government offered the use of a building at the United States Navy Yard, at Portsmouth, N. H., and the offer was accepted. The envoys appointed were, on the part of Japan, Baron Komura, Minister of Foreign Affairs, and Kogoro Takahira, Minister to the United States; and on the part of Russia, Count Sergius Witte and Baron Rosen, Ambassador to the United States. On August 5 the envoys assembled on the United States Cruiser, *Mayflower*, near Oyster Bay, L. I., and were introduced by President Roosevelt. The sessions of the conference began August 9, when the Japanese presented their terms: I. Recognition by Russia of the preponder-

ating influence of Japan in Korea; II. Simultaneous evacuation of Manchuria by Russia and Japan; III. Transfer to Japan of the Russian leases of Port Arthur and Dalny; IV. The return of Manchuria to China according to the previous agreement between Russia and China; V. The cession of Sakhalin Island to Japan; VI. The transfer to Japan of all public property in Port Arthur and Dalny, rights of private property to be respected; VII. The transfer to Japan of the Manchurian railroad between Port Arthur and Dalny and Harbin; VIII. Russia to retain the main line to Vladivostok; IX. The reimbursement of Japan for the expenses of the war; X. The surrender to Japan of the Russian warships interned at neutral ports; XI. Limitation of Russia's naval strength in the Pacific; XII. Fishing rights for citizens of Japan in Russian waters. To some of these Russia agreed at once; but the questions of indemnity and the cession of the Island of Sakhalin still remained open, and by the 10th of August the negotiations seemed certain to end in failure. The pressure of neutral nations, brought to bear on both parties, and especially the influence of President Roosevelt, led to a compromise. Japan waived the question of indemnity, and withdrew her demand for the interned warships; while Russia consented to the surrender of the southern half of the island of Sakhalin. Each nation agreed to pay the cost of the maintenance of its prisoners of war, an arrangement much to the advantage of Japan. An agreement was reached August 29th, and the formal treaty was signed September 5, 1905.

The official provisions of the more important articles of the treaty are as follows:

ARTICLE II.

The Imperial Russian Government, acknowledging that Japan possesses in Korea paramount political, military, and economical interests, engage neither to obstruct nor interfere with measures for the guidance, protection, and control which the Imperial Government of Japan may find necessary to take in Korea.

It is understood that Russian subjects in Korea shall be treated in exactly the same manner as the subjects and citizens of other foreign powers; that is to say, they shall be placed on the same footing as the subjects and citizens of the most favored nation.

It is also agreed that in order to avoid causes or misunderstanding that the two high contracting parties will abstain on the Russian-Korean frontier from taking any military measure which may menace the security of Russian or Korean territory.

ARTICLE III.

Japan and Russia mutually engage:

First—To evacuate completely and simultaneously Manchuria except the territory affected by the lease of the Liao-tung Peninsula in conformity with the provisions of the additional Article I, annexed to this treaty, and

Second—To restore entirely and completely to the exclusive administration of China all the portions of Manchuria now in occupation or under the control of the Japanese or Russian troops with the exception of the territory above mentioned.

The Imperial Government of Russia declare that they have not in Manchuria any territorial advantages or preferential or exclusive concessions in the impairment of

Portsmouth, Treaty of—Continued.

Chinese sovereignty or inconsistent with the principle of equal opportunity.

ARTICLE V.

The Imperial Russian Government transfer and assign to the Imperial Government of Japan, with the consent of the Government of China, the lease of Port Arthur, Ta-Lien, and the adjacent territory and territorial waters and all rights, privileges, and concessions connected with or forming part of such lease, and they also transfer and assign to the Imperial Government of Japan all public works and properties in the territory affected by the above mentioned lease.

The two contracting parties mutually engage to obtain the consent of the Chinese Government mentioned in the foregoing stipulation.

The Imperial Government of Japan on their part undertake that the proprietary rights of Russian subjects in the territory above referred to shall be perfectly respected.

ARTICLE VI.

The Imperial Russian Government engage to transfer and assign to the Imperial Government of Japan without compensation and with the consent of the Chinese Government the railway between Chang-chun-fu and Kuan-chang-tsu and Port Arthur, and all the branches together with all the rights, privileges, and properties appertaining thereto in that region, as well as all the coal mines in said region belonging to or worked for the benefit of the railway. The two high contracting parties mutually engage to obtain the consent of the Government of China mentioned in the foregoing stipulation.

ARTICLE VII.

Japan and Russia engage to exploit their respective railways in Manchuria exclusively for commercial and industrial purposes and nowise for strategic purposes. It is understood that this restriction does not apply to the railway in the territory affected by the lease of the Liao-tung Peninsula.

ARTICLE IX.

The Imperial Russian Government cede to the Imperial Government of Japan in perpetuity and full sovereignty the southern portion of the Island of Sakhalin and all the islands adjacent thereto and the public works and properties thereon. The fiftieth degree of north latitude is adopted as the northern boundary as the ceded territory. The exact alignment of such territory shall be determined in accordance with the provisions of the additional Article XI, annexed to the treaty.

Japan and Russia mutually agree not to construct in their respective possessions on the Island of Sakhalin or the adjacent islands any fortifications or other similar military works. They also respectively engage not to take any military measures which may impede the free navigation of the Strait of La Perouse and the Strait of Tartary.

ARTICLE XI.

Russia engages to arrange with Japan for granting to Japanese subjects rights of fishery along the coasts of the Russian possessions in the Japan, Okhotsk, and Bering Seas.

It is agreed that the foregoing engagement shall not affect rights already belonging to Russian or foreign subjects in those regions.

Ratifications of the treaty were exchanged on October 14, 1905. (See also Japan.)

Portugal.—A Kingdom of western Europe.

It extends from lat. $36^{\circ} 58'$ to $42^{\circ} 10'$ north and from long. $6^{\circ} 10'$ to $9^{\circ} 30'$ west. It is bounded by Spain on the north and east and by the Atlantic Ocean on the south and west. The principal exports are wine, cork, fish, live stock, olive oil, dairy produce, fruit, and copper. The trade is mostly with Great Britain, Brazil, the United States, and France. Portugal is a hereditary constitutional monarchy, the legislative power being vested in the Cortes. The territory was partly included in the ancient Lusitania. Portugal became a Kingdom under Alfonso I in 1139, and was a great maritime power in the fifteenth and sixteenth centuries. It has an area of 35,490 sq. miles; population (1900), 5,423,132. In addition has colonial possessions with an area of 802,952 sq. miles having a population of 9,158,952.

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Post-Office Department, The.—This Department of the Executive Branch of the Government was established under the Constitution on September 26, 1789, but the work then taken up by it had been in continuous operation from early colonial times. Up to 1693 the postal service was entirely carried on by the towns and villages. From that year until 1707 it was administered under the patent granted Thomas Neale by the King in 1691, Andrew Hamilton having been appointed Postmaster-General of America. He established a weekly service from Portsmouth, N. H., to Virginia, and so successful was his administration that he has been called "the father of American posts." He was succeeded by his son, John Hamilton, in 1703. In 1707 the entire American postal system came under the supervision of the General Post-Office in London, and John Hamilton was continued as Postmaster-General of America, with an annual salary of 200 pounds. He served until 1730 and was followed by Alexander Spotswood, 1730-30; Head Lynch, 1739-43, and Elliot Benger, 1743-53. In the latter year Benjamin Franklin and William Hunter were appointed joint Postmasters-General. Hunter was succeeded in 1761 by John Foxcroft, while Franklin served until 1774, when he was removed by the Crown. In 1763 the North American postal system was organized in two districts, the Northern and the Southern, the Postmasters-General named above, with headquarters in New York, serving in the Northern district and the following, with headquarters in Charleston, S. C., in the Southern: Benjamin Barows, 1765-66; Peter de Lancey, June 1766-71; and George Roupell, 1771-82. In the meantime great advances had been made in the service. Free delivery had been introduced in Philadelphia, and the great routes from Maine to Florida and New York to Quebec had been established. On November 13, 1755, was begun the first regular monthly packet service between Falmouth, England, and New York, and the Atlantic mail system then created has never ceased. In 1773 the mail between New York and Philadelphia was carried every other day; and between New York and New Hampshire every third day. The movement towards an independent or American post-office was begun in 1773 when Paul Revere became a private post-rider in Massachusetts and when William Goddard, of Baltimore, advocated an American rather than an English, post. On December 25, 1774, Postmaster-General Foxcroft announced the end of the British postal system in North

America, and on July 26, 1775, nearly a year before political independence was declared, the Continental Congress appointed Benjamin Franklin Postmaster-General of the Colonies. When Franklin was sent to Europe in 1776, Richard Bache, his son-in-law, was made Postmaster-General. In the passage of the postal ordinance of October 18, 1782, which unified all previous postal acts, Congress required the payment of postage in silver or its equivalent, and newspapers were admitted to transportation in the mails. It was in this year that the Post-Office Department, in distinction from the postal service, was practically created, and from this time the modern American post-office dates its origin. In the same year Ebenezer Hazard was appointed Postmaster-General. Under his administration an American Atlantic service was established and the domestic service perfected and extended until, at the end of his term, 1789, there were 85 post-offices in the country and 2,399 miles of post-roads, the volume of business being about 300,000 letters a year. Up to this time the means of transportation had been almost entirely by horseback, but an act of Congress of September 6, 1785, gave the Postmaster-General power to make contracts for the transmission of mail by stage-coach. After the establishment of the Constitution, in 1789, the postal service was for a time carried on under the direction of the Treasury Department, although the postal ordinance of 1782 remained in force until 1792, when a new postal law reforming the postage tariff was passed. The law permanently and definitely establishing the Department was passed May 8, 1799. In 1810 the office of Second Assistant Postmaster-General was created, a new postage tariff (8 to 25 cents, according to distance, for single letters, and one cent each for newspapers not going beyond the State of publication) was established, and the various post-routes connected in one system. In 1811 the Department established a service between Baltimore and Philadelphia in coaches owned by the Government, and two years later the Postmaster-General was authorized to make use of steamboats in the transportation of mail. The organic law of the Department was again changed in 1825, provision being made for the building of a General Post-Office at the seat of Government, and the Postmaster-General being given great powers in the conduct and development of the service. In 1827 the salary of the Postmaster-General was made \$6,000 a year, the same as that of heads of the other Executive Departments, and two years later he was called to a seat in the Cabinet. Up to 1836 the Postmaster-General had not only made all contracts for the carrying of the mail, but he had kept the accounts of the Department and received the money due it. By the act of July 2, of that year, however, the accounting was transferred to the Auditor of the Treasury for the Post-Office Department, and it was required that all revenues of the Department be paid into the United States Treasury. Until the passage of this act all postmasters had been appointed by the Postmaster-General, but from this time those whose commissions amounted to \$1,000 or more a year were to be appointed by the President, with

Post-Office Department, The—Continued.

the advice and consent of the Senate, for a term of four years. This act also created the office of Third Assistant Postmaster-General. In 1838 the act authorizing the Postmaster-General to make use of the railroads in the service was passed; and on March 3, 1845, laws were enacted placing the postage tariff on a weight basis (five cents for less than one-half ounce for distances not exceeding 300 miles); making it obligatory to let contracts to the highest bidder; curtailing the franking privilege; prohibiting private expresses from carrying mail matter; and extending the foreign mail service. In 1851 the price of postage was again reduced, being made three cents for distances less than 3,000 miles. Since March 3, 1855, the prepayment of postage has been required, the use of postage stamps having been authorized by an act of Congress of March 3, 1847. The next reduction in the rate of postage was on October 1, 1883, when it was made two cents on first-class matter. On July 1, 1885, the unit of weight was made one ounce instead of one-half ounce, and on second-class matter the rate was made one cent a pound instead of two cents. An act of March 3, 1853, provided for the appointment of the Assistant Postmasters-General by the President instead of by the Postmaster-General. The free delivery system was practically begun in 1825 when letters were delivered at certain places in the cities at a cost of two cents each. In 1830 newspapers and pamphlets were delivered for half a cent each and letters collected for two cents. In 1851 drop-boxes were first used, at a cost of two cents, and in 1863 branch post-offices in cities and free delivery from house to house were established. The railway mail service was extended in 1864 by assorting the mail while in transit. The money order system was established on May 17, 1864; and the special delivery system on October 1, 1883. The free rural delivery system was begun in 1897, and two years later the registry system was extended in cities so that letters might be registered at the home of the sender. The duties of the Department as at present organized are divided among five principal offices, viz., those of the Postmaster-General; First Assistant Postmaster-General; Second Assistant Postmaster-General; Third Assistant Postmaster-General, and Fourth Assistant Postmaster-General. The Postmaster-General appoints all officers and employees of the Department except the four assistant postmasters-general and the purchasing agent, who are appointed by the President, the Senate concurring. He also appoints all postmasters whose compensation is not more than \$1,000 annually; makes postal treaties with foreign governments, with the advice and consent of the President; awards and executes contracts; and directs the management of the domestic and foreign mail service, including that of the insular possessions of the United States. The duties of the First Assistant Postmaster-General are divided among the following divisions: The Division of Appointments; the Division of Bonds and Commission; the Division of Salaries and Allowances; the Division of City Delivery and the Division of Correspondence to which are referred inquiries regard-

ing the construction of the post-office law, etc. In the office of the Second Assistant Postmaster-General the transportation of all mail is cared for. The various divisions of the office are: the Division of Railway Mail Service; the Division of Foreign Mails; the Division of Railway Adjustment; the Division of Contracts; the Division of Inspection, and the Division of Mail Equipment. In the office of the Third Assistant Postmaster-General are supervised all matters of postal finance. The divisions are the Division of Finance; the Division of Stamps; the Division of Money Orders; the Division of Registered Mails; the Division of Classification, and the Division of Redemption. The office of the Fourth Assistant Postmaster-General deals with rural free delivery and miscellaneous postal business; it is composed of the Division of Rural Delivery; the Division of Supplies; Division of Dead Letters, and the Division of Topography. The following have been Postmasters-General under the Constitution: Samuel Osgood, Massachusetts; Timothy Pickering, Pennsylvania; Joseph Habersham, Georgia; Gideon Granger, Connecticut; Return J. Meigs, jr., Ohio; John McLean, Ohio; William T. Barry, Kentucky; Amos Kendall, Kentucky; John M. Niles, Connecticut; Francis Granger, New York; Charles A. Wickliffe, Kentucky; Cave Johnson, Tennessee; Jacob Collamer, Vermont; Nathan K. Hall, New York; Samuel D. Hubbard, Connecticut; James Campbell, Pennsylvania; Aaron V. Brown, Tennessee; Joseph Holt, Kentucky; Horatio King, Maine; Montgomery Blair, District of Columbia; William Dennison, Ohio; Alexander W. Randall, Wisconsin; John A. J. Creswell, Maryland; J. W. Marshall, Virginia; Marshall Jewell, Connecticut; James N. Tyner, Indiana; David M. Key, Tennessee; Horace Maynard, Tennessee; Thomas L. James, New York; Timothy O. Howe, Wisconsin; Walter Q. Gresham, Indiana; Frank Hatton, Iowa; William F. Vilas, Wisconsin; Don M. Dickinson, Michigan; John Wanamaker, Pennsylvania; Wilson S. Bissell, New York; William L. Wilson, West Virginia; James A. Gary, Maryland; Charles Emory Smith, Pennsylvania; Henry C. Payne, Wisconsin; Robert J. Wynne, Pennsylvania, and George B. Cortelyou, New York.

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Postage.—The price established by law to be paid for the conveyance of a letter or other mailable matter by a public post. Rates of postage were fixed by the Continental Congress in 1789 as follows: Single letters under 60 miles, 7.4 cents; between 60 and 100 miles, 11.1 cents; between 100 and 200 miles, 14.8 cents, and 3.4 cents for each additional 100 miles. As early as 1794 a delivery system was inaugurated, a fee of 2 cents being required for each letter delivered. In 1814 the rates of postage were increased by 50 per cent., but the old rate was restored in 1816. Mails were first carried on horseback, later by stage coach, and in 1834 by railway. July 7, 1838, Congress declared every railroad to be a mail route. In 1847 and 1848 post-offices were established at Astoria, San Diego, Monterey, and San Francisco. The rate of postage between the Atlantic and Pacific coasts was fixed at 40 cents. Mar. 3, 1851, letter postage was reduced to 3 cents per half ounce for distances under 3,000 miles, postage prepaid. Merchandise was first admitted to the mails in 1861. Registration was begun in 1855, and postal money orders were first issued in 1864. The free-delivery system was established in 1872 in cities of 50,000 population or over, and in 1887 the system was extended. In 1896 the experiment of free delivery in rural districts was tried and proved to be a success, since that date the principle has been adopted and is being extended all over the country. (See also Post-Office Department.)

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Postage Stamps.—An official mark or stamp

affixed to or embossed on letters sent through the mails as evidence of the prepayment of postage. Adhesive stamps were made as an experiment by James Chalmers in his printing office in Dundee in 1834, but they were not made public till November, 1837. In February, 1837, Sir Rowland Hill proposed a postage stamp for prepayment of letter postage. In 1840 Mulready's envelope was introduced, bearing an allegorical design of England attracting the commerce of the world, but this was soon superseded by the adhesive stamp. Local stamps were in use in various cities in the United States as early as 1842—in New York, St. Louis, Baltimore, and Brattleboro. By act of Mar. 3, 1847, the use of postage stamps was authorized, and issues of 5 and 10 cent stamps were made by the Government, bearing, respectively, designs of the heads of Franklin and Washington. In 1851 three new values were added—1, 3, and 12 cents. From this time till 1860 a complete series was issued in values from 5 to 90 cents. In 1869 a new series was brought out in various designs, such as a horseman, a locomotive, eagle, steamship, landing of Columbus, Declaration of Independence, heads of Franklin, Washington, and Lincoln. The series of 1870–1872 bore heads of Franklin, after Ruprecht's bust; Jackson, after Powers; Washington, after the bust by Houdon; Lincoln, after Volk; Stanton, from a photograph; Jefferson, after Powers's statue; Clay, after the bust by Hart; Webster, after the Clevenger bust; Scott, after the bust by Coffee; Hamilton, after Cerrachi; and Perry, from Wolcott's statue. At the International Postal Conference held at Berne, Switzerland, in 1874, the Universal Postal Union was formed, with rates of 5 cents per half ounce on all letters passing between the countries composing the union. In 1875 a 5-cent stamp was issued for this foreign service, bearing the head of Jackson, taken from a photograph, and in 1882 another of the same value with the head of Garfield. Stamped envelopes were issued in 1852 and postal cards in 1872.

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Pottawatomie Indians.—A tribe of the Algonquian stock of Indians. When first known (about 1670) they lived on the Noquet Islands, in Green Bay, Wis. At the close of the seventeenth century they were established on the Milwaukee River, at Chicago, and on the St. Joseph River. At the beginning of the nineteenth century they possessed the country around the head of Lake Michigan from the Milwaukee River, Wis., to the Grand River, Mich., extending south into Illinois and in Indiana to the Wabash River. They took a prominent part in Pontiac's War and in the War of the Revolution, when they fought on the British side, as they also did during the War of 1812. The name Pottawatomie signifies "firemakers," and has reference to their secession from the Ojibwas and making fires for themselves. A large tract was assigned to them on the Missouri. In 1867 1,400 of them became citizens, but the Prairie Band continued under the Indian Department. Their present number in the United States and Canada is about 1,500.

Pottawatomie Indians:

- Agreement between Cherokee Commission and, IX, 79.
- Proclaimed, IX, 156.
- Location of lands ceded to Indiana by, II, 535.
- Removal of, III, 498.
- Treaty with, I, 363, 390, 397, 434, 439, 460, 478, 569, 581, 582; II, 21, 47, 322, 347, 365, 374, 395, 422, 423, 425, 430, 464, 466, 607; III, 38, 126, 135, 227, 272, 279; IV, 454; V, 61, 155, 382, 519; X, 61.
- Complaints regarding, VI, 62.
- Instructions to commissioners in concluding, X, 46.

Potter, Elisha R., correspondence regarding Dorr's Rebellion, IV, 288, 295, 296.

Potts, Jane, act granting pension to, vetoed, VIII, 720.

Powder, Smokeless:

- Adoption of, recommended, IX, 696.
- Development of, IX, 324.

Powell, Joseph W., naval cadet, to be made ensign for attempting to rescue force of the *Merrimac*, X, 81.

Powell, L. E., treaty with Indians concluded by, IV, 671.

Powell, Lazarus W., sent to Utah during troubles with Mormons, V, 505.

Powers, Hiram, American sculptor, negotiations with, regarding work of art for Capitol, V, 377.

Powers, Foreign (see also the several powers):

- Claims against, referred to, V, 535, 536.
- Claims of, arising out of War between the States discussed, VI, 127; VII, 132.
- Collection of commercial relations of, referred to, II, 63, 206.
- Commerce of. (See Commerce of Foreign Powers.)
- Commerce with. (See Commerce.)
- Duties levied by, export, referred to and recommendation, VIII, 157.
- Expeditions against—
 - Discussed by President—
 - Arthur, VIII, 53.
 - Buchanan, V, 447, 466, 649.
 - Fillmore, V, 107, 113, 161.

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- Jefferson, I, 406, 407, 412, 429.
 Johnson, VI, 457, 460.
 Monroe, II, 13, 14, 21, 23, 32, 40, 51, 200.
 Pierce, V, 208, 240.
 Polk, IV, 605.
 Taylor, V, 11, 47.
 Van Buren, III, 399.
 Washington, I, 154.
 Proclamations against, by President—
 Buchanan, V, 496.
 Cleveland, IX, 591, 694.
 Fillmore, V, 111, 112.
 Grant, VII, 85, 91.
 Jefferson, I, 404.
 Johnson, VI, 433.
 Madison, I, 561.
 Pierce, V, 271, 272, 388.
 Taylor, V, 17.
 Tyler, IV, 57.
 Washington, I, 157.
 Explosives, order to prevent shipment of, abroad, VIII, 228.
 Export duties levied by, referred to, VIII, 157.
 Imprisonment of American citizens by. (See Imprisonment.)
 Imprisonment of citizens of, by United States. (See the several powers.)
 Intermeddling of, with Indians referred to, III, 511.
 Ministers of, to United States. (See the several powers.)
 Ministers of United States to. (See Ministers of United States.)
 Neutral rights of. (See Neutral Rights.)
 Peace with, should not be interfered with by American citizens, I, 128.
 Relations with, referred to, VI, 84.
 Revenues and finances of, referred to, VI, 71.
 Subjects of, in United States. (See Aliens; Naturalized Citizens.)
 Treaties with, referred to, IV, 688; VI, 690; VIII, 264. (See also the several powers.)
 Vessels of United States seized by authorities of. (See Vessels, United States.)
Powers of Federal and State Governments
 discussed by President—
 Arthur, VIII, 120, 184, 221.
 Buchanan, V, 431, 450, 497, 543, 553, 599, 608, 614, 619, 626, 637, 655.
 Cleveland, VIII, 375, 407, 411, 557, 778, 827, 837; IX, 492, 578, 677.
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 Harrison, Benj., IX, 54, 127, 331.
 Hayes, VII, 493, 514, 523, 532, 536, 541, 545, 560, 591, 592, 601.
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 Jefferson, I, 409, 456.
 Johnson, VI, 353, 372, 395, 398, 405, 413, 422, 445, 472, 483, 489, 492, 498, 531, 536, 558, 568, 583, 622, 639, 646, 648, 650, 651, 672, 691.
 Lincoln, VI, 5, 20, 68, 73, 85, 134.
 Madison, I, 489, 490, 555, 584.
 Monroe, II, 18, 142, 144.
 Pierce, V, 218, 222, 247, 256, 257, 322, 341, 386, 387, 388, 397.
 Polk, IV, 400, 606, 610, 640, 656.
 Tyler, IV, 63, 68, 88, 183, 190, 330.
 Washington, I, 104.
Prairie Grove (Ark.), Battle of.—Sept. 19, 1862, President Lincoln directed that Missouri, Arkansas, Kansas, and the eastern portion of Indian Territory should constitute

the Department of the Missouri, to be commanded by Brig. Gen. Samuel R. Curtis. The only important engagement that occurred in this department while Curtis was in command was at Prairie Grove, Ark. The Confederate General Thomas C. Hindman was on his way north into Missouri with a large force when, on Dec. 7, 1862, he encountered the united forces of Generals James G. Blunt and Francis J. Herron. During the engagement which ensued the Federals lost 1,148 and the Confederates 1,317. The latter retired during the night.

Preble, Edward:

Energy and judgment displayed by, I, 377.
 Medal presented to, March 3, 1805, for gallantry, mentioned, I, 364.

Preble, George H.:

Commander in Navy, nomination of, and reasons therefor, VI, 153.
 Thanks of Congress to, recommended, VI, 76.

Preble, William P., mentioned, II, 559.

Precious Metals. (See Coins and Coinage; Gold and Silver.)

Preemption Laws.—The first law regulating the preemption of and payment for public lands was passed Mar. 3, 1801. It was a special act affecting the Symmes colonization scheme on the Miami River. A number of preemption laws were passed, most of them of a more or less special nature. The first general law was passed in 1830. The law of 1841 granted, in consideration of residence and improvement, freedom of entry upon 160 acres of public lands to any person over 21 years of age; 12 to 33 months were allowed for payment, and the amount to be paid varied with the situation and value of the tract preempted. The law of 1841 was repealed in 1891, since which time there has been no legislation on the subject.

Preemption Laws:

Discussed, III, 496, 536; VI, 453; VII, 110; IX, 49.
 Recommended, III, 389; IV, 409.
 Amendments to law recommended, IV, 558, 650.
 Repeal of preemption act recommended, VIII, 183, 250, 522.

President, The.—Previous to the War of 1812 American commerce had suffered considerably at the hands of British cruisers, which hovered about our coasts and captured many United States vessels bound for France. These cruisers also made many impressments of sailors. In May, 1811, Commodore John Rodgers, commanding the American frigate *President*, was ordered to put to sea from Chesapeake Bay and protect our commerce. When 30 miles off Cape Charles, May 16, Rodgers gave chase to the *Little Belt*, a British frigate. The latter fired upon the *President*, attempted flight, and failed to show her colors. The fire was returned by the *President*, and in 18 minutes the *Little Belt* was disabled. A dispute arose as to which of the commanders was at fault, but it was never decided, as the discussion was dropped by mutual agreement. In September, 1814, the *President*, under Decatur, was captured by the *Endymion*, and other British vessels.

President of a State.—Some of the earlier organized States provided for a president as the executive head. To avoid misunderstanding and confusion, this was afterwards

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changed to governor. The first constitutions of Pennsylvania and New Hampshire, adopted in 1776 provided for an executive council of which one member was president. Delaware, South Carolina, and the New Hampshire constitution of 1784 provided for a single head, but called him president. South Carolina in 1778, Pennsylvania in 1790, and Delaware and New Hampshire in 1792 altered the title to governor.

President of United States.—The title of the Chief Executive of the United States. In 1696 William Penn proposed a plan for a general government for the Colonies in America. The plan comprehended a chief executive with the title of president. The Albany Convention proposed that of president-general. The Continental Congress had its president. In the Convention of 1787 it was decided that there should be a single executive to whom the title of President was given. In order to be eligible, the President must be 35 years of age, a native-born citizen of the United States, and a resident within the United States for 14 years. He is elected for a term of 4 years by electors chosen by the different States. These electors are chosen by direct vote of the people, on ballot tickets usually headed by the names of the candidates voted for as President and Vice-President, followed by the names of the electors, who are pledged to vote for these candidates only. (See Electoral College.) The President's duties and powers under the Constitution are to approve or veto bills; to grant reprieves and pardons for offenses against the United States, except in case of impeachment; to make treaties; to nominate ambassadors and other public ministers, consuls, judges of the Federal courts, etc., and, by and with the consent of the Senate appoint such officers; to fill vacancies that may occur during the recess of the Senate by granting commissions which shall expire at the end of the next session; to convene one or both Houses of Congress, and to adjourn Congress to such a time as he may deem proper in case it cannot agree upon an adjournment. He is also commander in chief of the Army and Navy and of the militia of the several States when called into the service of the United States. He is required to give information to Congress from time to time regarding the state of the Union and recommend to its consideration such measures as he shall judge necessary and expedient; receive ambassadors and other public ministers; see that the laws are faithfully executed, etc. He receives a salary of \$50,000 per annum. Up to the time of the ratification of the twelfth amendment (1804) the President and Vice-President were not separately voted for, but the candidate for President who received next to the highest number of votes was made Vice-President. Jefferson and J. Q. Adams were elected by the House of Representatives, as provided by the Constitution, neither Presidential candidate having a majority of the electoral vote.

President of United States (see also the several Presidents):

Act—

Fixing salary of, vetoed, VII, 380.

Of Congress approved but not signed, whether in force, discussed, II, 287.

Of Congress duly certified and approved which had not passed discussed, III, 134. Providing for performance of duties of, in case of death, etc., of Vice-President and, returned, IX, 239.

Appointing power of. (See Executive Nominations.)

Appointment of members of House by, in whose election they have been officially concerned discussed, II, 448, 557.

Appointments of, referred to, IV, 112.

Arbitration of boundary dispute between Brazil and Argentine Republic submitted to. (See Cleveland, Grover.)

Arbitrator of claim of Italy against Colombia. (See Cleveland, Grover.)

Bills considered by, time allowed for, discussed, V, 462, 529.

Cabinet of. (See Cabinet.)

Civil service extended over employees in office of, IX, 800.

Communications of, to Congress not to be questioned by foreign power, III, 178.

Compensation due, referred to, II, 323.

Conduct of public officers, request of House for documents concerning, declined, II, 278.

Constitutional amendment—

Designating officer to succeed, in event of vacancy in Presidency and Vice-Presidency recommended, VI, 639, 691. (See also Successor to, *post*.)

Regarding election of, recommended, II, 447, 518, 557, 605; III, 34, 117, 176, 259; VI, 640, 691; VII, 242, 445.

Regarding selection of electors recommended, IX, 209.

Relative to approval of separate items of bill and veto of others recommended, VII, 242; VIII, 138, 187, 253.

Constitutional function as commander of Army, act interfering with, discussed, VI, 472.

Repeal of, recommended, VI, 673.

Constitutional meaning of "inability to discharge powers and duties of office of," discussed and recommendations regarding, VIII, 65, 147, 187, 253.

Death of. (See Garfield, James A.; Harrison, William Henry; Lincoln, Abraham; Taylor, Zachary.)

Discretionary authority of, to—

Invite nations to conference on subject of coinage recommended, IX, 445.

Retaliate in cases of discriminating duties levied on American vessels recommended, VIII, 176, 620.

Send delegates to foreign conventions, recommendations; regarding, VIII, 127, 176, 240; IX, 111; X, 100.

Discretionary authority which can be regulated by Congress should not be exercised by, III, 168.

Discretionary power of, over nominations, removals, and other acts discussed by President—

Cleveland, VIII, 375.

Jackson, III, 36, 42, 53, 127, 132.

Monroe, II, 278.

Polk, IV, 382, 431, 566, 602, 679.

Tyler, IV, 50, 88, 105, 220, 227.

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Act providing for, and regulating counting of votes in, approved and reasons therefor, VII, 422.

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- Constitutional amendment regarding, recommended, II, 447, 518, 557, 605; III, 34, 117, 176, 259; VI, 640, 691; VII, 242, 445.
 - Legislation respecting ascertainment and declaration of vote recommended, VII, 411; VIII, 64, 147, 235.
 - Elections discussed—
 - 1864, VI, 252.
 - Table showing number of votes cast in, as compared with election of 1860, VI, 255.
 - 1876, VII, 446.
 - 1880, VII, 601.
 - 1884, VIII, 235.
 - 1896, IX, 714.
 - Electors, method of appointment of, and effect of gerrymander discussed, IX, 208.
 - Constitutional amendment regarding, recommended, IX, 209.
 - Executive acts performed during absence of, from seat of Government discussed, VII, 361.
 - Memorandum accompanying message, VII, 364.
 - Fines remitted by. (See Fines.)
 - Foreign intercourse, request of Senate and House for information regarding, refused, I, 194; IV, 431, 566, 602; V, 154, 155, 159; IX, 669.
 - Referred to, IV, 679.
 - Free confidential communication with Senate should be preserved, II, 327.
 - Home of. (See Executive Mansion.)
 - Impeachment of. (See Impeachment.)
 - Information regarding annexation of Texas refused by, IV, 382.
 - Law conferring power upon—
 - To employ forces for protection of American citizens abroad recommended, V, 447, 539, 569.
 - To employ naval forces for protection of American vessels recommended, V, 569.
 - Meets and advises with Senate respecting treaty with Southern Indians, I, 61.
 - Militia can not be called into service by, except by authority of Congress, V, 104.
 - Modifications in laws regarding, recommended, V, 105.
 - Nominations of. (See Executive Nominations.)
 - Oath of, and ceremonies attending administration of. (See the several Presidents.)
 - Personal interviews with, respecting—
 - Appointments to office, rules regulating, discussed, IX, 399.
 - Business transactions unnecessary, order regarding, VI, 348.
 - Pocket vetoes of. (See the several Presidents; the several messages.)
 - Power should be given, to prevent injuries to citizens of neighboring nations, III, 399.
 - Presents offered, by Imaum of Muscat, recommendations regarding, III, 592; IV, 316.
 - Provisions and laws respecting election of, etc., VI, 668.
 - Public money, authority of, over, discussed, III, 324.
 - Removals from office discussed. (See Removals from Office.)
 - Right of, to make public confidential information of predecessors discussed, IV, 433.
 - Successor to, in event of vacancy in Presidency and Vice-Presidency discussed, VI, 639, 691; VIII, 305.
 - Act regarding, returned, IX, 239.
 - Term of, recommendations regarding limitation of, II, 448; III, 117; VII, 445.
 - Thanks of, tendered. (See Thanks of President.)
 - Treaties—
 - Power to make, vested in President with consent of Senate, I, 195.
 - Request of House for correspondence regarding, declined, I, 194.
 - Vacancies, power of, to make provisional appointments to fill, discussed, V, 659.
 - Veto messages of. (See the several Presidents; the several messages.)
 - Veto power of, discussed, IV, 662; V, 23.
 - War, power to declare, discussed, V, 569.
 - Executive authority to furnish instant redress recommended, V, 569.
- Presidential Electors:**
- Constitutional amendment regarding selection of, recommended, IX, 209.
 - Method of appointment of, and effect of gerrymander discussed, IX, 208.
- Presidential Succession.**—The Constitution provides for the succession of the Vice-President in case of the death, removal, resignation, or disability of the President, and gives Congress power to provide what officer shall succeed in case of the death, removal, etc., of the Vice-President. In 1793 Congress enacted that in such case the President of the Senate should succeed, and then the Speaker of the House of Representatives. This was attended with some inconvenience and danger and there was some doubt of its constitutionality. An act of Congress approved Jan. 19, 1886, provided that the succession should pass to the members of the Cabinet in the following order: Secretary of State, Secretary of the Treasury, Secretary of War, Attorney-General, Postmaster-General, Secretary of the Navy, and Secretary of the Interior. The Secretaries of the Department of Agriculture, and of the Department of Commerce and Labor whose offices have been created since the passage of the Succession Act are not eligible for Presidential Succession. The following Vice-Presidents have succeeded to the Presidency on account of the death of the President: John Tyler, Millard Fillmore, Andrew Johnson, Chester A. Arthur, and Theodore Roosevelt. (See Vice-Presidents, and Cabinet.)
- Presque Isle, Pa.:**
- Obstructions to entrance of harbor of port of, II, 217.
 - Title to, proffered by marine hospital of Pennsylvania, VIII, 148.
- Press, Freedom of.**—The first amendment to the Constitution, introduced in the First Congress, established freedom of speech, religion, and the press. Though the Federal Constitution was originally silent upon the subject, nearly all of the States inserted in their constitutions clauses permitting freedom of speech and publication to every citizen. Abuses of this liberty were punishable under the common law. New York and New Jersey made no provision in their first constitutions, but clauses were later embodied insuring the widest liberty of expression. During British rule of the Colonies this freedom was much restricted by the star chamber press censorship regulation of 1637, which was confirmed by Parliament in 1643.

Pretoria, Republic of, joint resolution relating to congratulations from, vetoed, VII, 430.

Prince of Wales, visit of, to United States, V, 640.

Prince of Wales Island, referred to, X, 513.

Princeton, The, construction of, referred to, IV, 277.

Princeton (N. J.), Battle of.—The beginning of the year 1777 found the British army of 7,000 or 8,000 men encamped at Princeton, N. J. On Christmas night, 1776, Washington had turned back his retreating army, recrossed the Delaware, overcome the Hessians at Trenton, and again crossed the Delaware into Pennsylvania. To relieve Cadwalader he again crossed the river and was ready to march upon Princeton. Cornwallis, who had been sent by Howe from New York, advanced to meet him with most of his army. Washington skillfully passed around the left wing of Cornwallis's army, and on Jan. 3, 1777, encountered the British rear guard, consisting of 3 regiments and 3 troops. These were scattered, with the loss of about 500. The American loss was 25 or 30, besides officers. Cornwallis retreated to New Brunswick and Washington occupied a strong position at Morristown, remaining there until the latter part of May.

Printing executed by authority of the several Departments referred to, V, 378.

Printing Office. (See Government Printing Office.)

Prisleau, Samuel, claim of representatives of, refused and reasons therefor, V, 293.

Prison Congress, International, at—St. Petersburg, VIII, 532.

Stockholm, VII, 454, 512.

Prison Congress, National, at Baltimore, VII, 208.

Prisoners. (See Imprisonment.)

Prisoners of War. (See War between the States; War of 1812.)

Prisons. (See Penitentiaries.)

Private Armed Vessels:

Depredations of, must be checked, I, 370.

Instructions were issued May 28, 1798, to commanders of armed vessels of United States to seize foreign vessels attacking those of the United States, especially those sailing under the flag of the French Republic.

Issuance of commissions to, discussed, II, 210.

Referred to, V, 241.

Proposition to forego resort to, in case of war discussed, V, 276, 412.

Private Claims against United States:

Amount paid on, referred to, III, 561, 566.

Proceedings under act for payment of, suspended, I, 580.

Report of commissioners referred to, I, 581.

Settlement of, by commission recommended, V, 91, 137, 178.

Private Land Claims. (See Court of Private Land Claims.)

Private Property:

Right to capture, at sea in time of war, X, 647, 648.

Seizure and confiscation of, referred to, VI, 633.

Shall not be taken for public use without just compensation, I, 447.

Privateering:

Abolition of, discussed, V, 412.

Issuance of commissions to vessels for, discussed, II, 210; V, 241.

Not to be resorted to by—

France in war with Spain, II, 210.

United States in war with Spain, X, 249.

Referred to, X, 87.

Proposition to forego resort to, in case of war discussed, V, 276, 412.

Referred to, V, 376.

Privateers.—Armed vessels owned and officered by private persons, but acting under commissions from the government known as letters of marque. It was formerly the custom of all nations in time of war to legalize private vessels to assist the regular navy in blockading the ports of an enemy, intercepting supplies, and capturing prizes. Vessels so employed are called privateers and are supplied with letters of marque on condition of their conforming to the rules and usages of war. Herein lies the difference between privateers and pirates (q. v.). These vessels and crews may be hired or impressed by the government or they may be owned, officered, and sent to sea at private expense under government commission. The latter has been a favorite way of employing sailors and merchant ships when commerce has been hampered by war, and to a nation with a small navy it affords protection against formidable naval foes. The practice of privateering has long been looked upon as an evil by the most advanced nations. At the Declaration of Paris in 1856 (q. v.) one of the rules of warfare subscribed to was that "privateering is and remains abolished." The United States refused to agree to this clause of the declaration on the ground that without privateers it would have no adequate sea force in time of war. As the agreement was only binding on parties thereto, American commerce was left a prey to the ships of all other nations. In 1861 Secretary Seward, on behalf of the United States, made an offer to England and France to come under the operation of the rules of war subscribed to in the Declaration of Paris, but the offer was refused on the ground that it would impose an international rule of warfare upon the Confederate States then in rebellion. In the colonial wars Great Britain derived much support from colonial privateers. Upward of 400 were fitted out and ravaged the French West Indies and made numerous captures along the coast of France. In March, 1776, the Continental Congress accorded permission to citizens to fit out privateers against the British. During that year 342 British vessels fell a prey to privateers fitted out at Salem, Cape Ann, Newburyport, Bristol, and other seaports. This sort of warfare became so lucrative that sailors could hardly be induced to enter the regular service. Jan. 28, 1778, an American privateer surprised and captured the British fort of New Providence, in the Bahamas, and a 16-gun man-of-war. During the War of 1812 some 500 privateers were fitted out. They were mostly schooners or brigs of 200 or 300 tons and carried from 80 to 100 men. Of 400 British vessels captured in 1813 four-fifths were

Privateers—Continued.

taken by privateers. Later in this war larger vessels, like the *Reindeer*, *Avon*, and *Blakeley*, were built. They did not confine themselves to merchant vessels, but attacked and frequently captured British war ships. They hung about the coasts of Great Britain, Ireland, and the Canary and West Indian Islands, and greatly aided the American cause.

Prize Agents, accounts of, referred to, II, 204, 247.

Prize Courts.—Courts which adjudicate the property in vessels captured at sea from a belligerent. The general rule is that when a captor brings home a prize the tribunal of his own country has sole jurisdiction over it and the decision rendered is binding everywhere. A prize court differs from other courts in that the property of foreigners is brought within its jurisdiction, not voluntarily, as in ordinary courts, but by force. During the colonial wars prize cases were adjudged by the admiralty courts held by colonial governors as vice-admirals, or by judges whom they appointed, with appeal to commissioners in England. With the outbreak of the Revolution the States established admiralty courts to hear prize cases. The Continental Congress established a court of appeals for such cases when in dispute between the States. Under the judiciary act of 1789 the United States district courts were made prize courts, with appeal to the Supreme Court.

Prize Money.—A dividend from the proceeds of a captured vessel and her cargo, etc., paid to the captors. Prior to Mar. 3, 1809, prize money in the United States was distributed according to an act of June 30, 1864. If the prize was equal or superior to the captor, it became the sole property of the latter. If inferior, the United States took half and the captors divided the remainder. Privateers with letters of marque kept the whole of the prize unless otherwise stipulated in their commissions. By the Navy personnel act of Mar. 3, 1809, the law authorizing the distribution of prize money among the captors of vessels was repealed.

Prize Money referred to, V, 32.

Probert, Anna A., act granting pension to, vetoed, VIII, 450.

Proclamations. (See the several Presidents or the several subjects.)

Proctor, Col., mentioned, I, 111.

Proctor, Redfield, resignation of, as Secretary of War and appointment as United States Senator from Vermont referred to, IX, 195.

Products. (See Agricultural Products; Animals and Animal products.)

Progressive Labor Party.—At the annual session of the United Labor Party held at Syracuse, N. Y., Aug. 19, 1886, the radical or socialistic element withdrew and formed the Progressive Labor Party. They advocated a common inheritance of land, wealth, and industries and upheld all the tenets of extreme socialism.

Prohibition.—The prohibition of the manufacture and sale of alcoholic drinks has long been a subject of political discussion in America. Long before the Revolution the liquor traffic was taxed, and the Continental Congress advised the States to pass laws prohibiting the distillation of grain. Prohibition

became a purely State political issue first in the Maine legislature in 1837, when a prohibitory bill was introduced and defeated. In 1846 a bill with the same purpose became a law, but did not serve the purpose and was succeeded in 1851 by a more effective measure drafted by Neal Dow. This law provided for search and seizure, but the Prohibitionists lost their majority and the law was repealed. Later a second law was passed which was made a part of the State constitution in 1884 and is still in force. Between 1849 and 1856 prohibitory laws were passed in the following States and were repealed or made inoperative as indicated below: Illinois repealed in 1853; Rhode Island repealed in 1863; Pennsylvania repealed in 1866; Delaware repealed in 1867; Massachusetts repealed in 1868; Connecticut repealed in 1872; Michigan repealed in 1875; New York declared unconstitutional; Iowa amended in 1894 so as to be ineffective; Vermont repealed in 1902; New Hampshire repealed in 1903. North Dakota and South Dakota have prohibitory amendments in their constitutions.

Prohibition Party.—Prohibition first appeared as a national political issue in 1869 and since 1872 the Prohibition party has placed Presidential tickets in the field. The party candidates since 1872 with the popular vote polled have been as follows: 1872, James Black, of Pennsylvania, 5,608; 1876, Green Clay Smith, of Kentucky, 9,522; 1880, Neal Dow, of Maine, 10,305; 1884, John P. St. John, of Kansas, 150,369; 1888, Clinton B. Fiske, of New York, 249,506; 1892, John Bidwell, of California, 255,841; 1896, Joshua Levering, of Maryland, 131,312; 1900, John G. Woolley, of Illinois, 208,555; 1904, Silas C. Swallow, of Pennsylvania, 258,838. In 1896 the party split on the silver question, those favoring the free coinage of silver at the ratio of 16 to 1 forming the National Party and nominating Charles E. Bentley who received 13,968 votes.

Prometheus, The, firing into and seizure of, by British vessel, V, 139, 144.

Property at Sea:

International agreement to regard, as exempt from capture by belligerent powers recommended, X, 113.

International conference at Washington for security of life and, IX, 33, 58, 63.

Maritime powers invited to attend, VIII, 785.

Recommended, VIII, 595.

Treaty with Italy regarding, VII, 144.

Property, Captured:

Cotton captured and forfeited referred to, VI, 468.

Should not be adjudged without regular investigation, I, 500.

Property, Industrial, international convention at Paris for protection of, VII, 608; VIII, 207, 270, 533.

Property, Private:

Seizure and confiscation of, referred to, VI, 633.

Shall not be taken for public use without just compensation, I, 447.

Proprietaries.—American territory was parceled out by the various crowned heads of Europe to personal friends or favorites or in recognition of some useful service to the sovereign. Persons to whom these grants were made established what were known as pro-

Proprietaries—Continued.

proprietary governments. The proprietor appointed the governor, and in general performed all those acts of government which are usually the prerogative of the Crown. New York, New Jersey, Pennsylvania, the Carolinas, Delaware, and Maryland were proprietary governments. The laws of Pennsylvania and Delaware were subject to the supervision of the Crown, but those of Maryland were not.

Prosperity, National, discussed, X, 527, 528, 802; XI, 1131.

Protection.—In political economy the principle or system of imposing such duties on imported goods as will protect or foster domestic industries. Tariffs are either chiefly to produce revenue or to afford protection. Nearly all American tariffs previous to that of 1824 come under the former head. But the preamble of the first tariff act of 1789 declared that one of its objects was "the encouragement and protection of manufactures," and the principle of protection was ably advocated by Secretary Hamilton, in his elaborate report on manufactures, in 1791 and by many members of Congress from that time to the present. The tariff of 1816 was claimed as protective and opposed as such by Northern members, while Calhoun and other Southerners advocated it. Later the relative views of North and South were radically changed, and the North became protectionist, while Southern members (except Clay and his Whig followers) were for a low tariff for revenue only. The tariff bill introduced in the House of Representatives in 1820 by Representative Baldwin, of Pennsylvania, from the Committee on Manufactures was frankly stated to be a protective measure, and at that time the question of a protective duty was first suggested to be unconstitutional. This bill did not pass, but in 1824 a tariff bill became a law with average duties of 37 per cent. The protectionists claimed that many of the duties were too low for effective protection and in 1828, after a prolonged commercial depression, a congress opposed to protection passed a high protective tariff, which satisfied neither party, and was denounced as "a bill of abominations." The failure of another act, passed in 1832, to sufficiently reduce the rates of the tariff of 1828 was the chief cause of the nullification movement (q. v.). The Clay-Calhoun tariff of 1833, known as the "Compromise of 1833," gradually reduced duties to a revenue basis. The act of 1842 was protective; that of 1846 (the Walker tariff) was strictly a revenue tariff. The Morrill tariff of 1861 and all subsequent tariff acts have been protective. The duties have been high, running from an average of 18 per cent. to 48 per cent. *ad valorem* on all dutiable articles. (See Tariff.)

Protective Tariff. (See Import Duties discussed.)

Protestant Church at American embassy at Rome, removal of, referred to, VI, 464, 519.

Protestant Episcopal Church in Alexandria, Va., act incorporating, vetoed, I, 489.

Protests.—The official papers of the Presidents as they are sent to Congress are properly designated "messages," but on several occasions the Chief Executives have sent papers known as "protests." They are sent in the customary message form, but contain

the formal protest of the President against the action of Congress as a whole or of one or the other of the two Houses.

Protests of President—

Buchanan to proceedings of House, V, 614, 619.

Jackson to resolutions of Senate charging him with violating Constitution and laws, III, 69.

Additional statement regarding, III, 93.
Johnson to act depriving him of command of Army, VI, 472.

Tyler to action of House in adopting report assailing his official conduct, IV, 190.

Proteus, The.—The vessel in which Gen. Adolphus W. Greely, with 24 men, sailed from St. Johns, Newfoundland, July 7, 1881, and reached Discovery Harbor (lat. 81° 44' north, long. 64° 45' west) Aug. 12, 1881, where he established his station. The *Proteus* was lost in Smith Sound, midway between Cape Sabine and Cape Albert, July 23, 1883, while attempting to reach Lady Franklin Bay with a relief party for Greely.

Proteus, The, loss of, and court of inquiry regarding, VIII, 203.

Providence Plantations.—In 1636 Roger Williams and his followers, who advocated complete separation of church and state and toleration for all creeds, were banished from Massachusetts Bay Colony. They journeyed southward and founded Providence. Two years later the followers of Anne Hutchinson founded Portsmouth, and in 1639 Newport was settled. In 1644 Williams obtained from the parliamentary commissioners a patent which associated the three towns in one community. Both Plymouth and Massachusetts claimed the territory, but failed to make their claims good. In 1663 a new charter was granted, which united Rhode Island to the Providence Plantations and remained substantially the fundamental law until 1842.

Providence Plantations. (See Rhode Island.)

Providencia, The, appropriation for seizure of, by American steamer recommended, VI, 62.

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Provisions, importation of, into foreign countries and rates of duty on, referred to, IX, 68.

Pruden, O. L., note of, to Secretary of State transmitting pocket vetoes of President Cleveland, VIII, 484.

Prussia.—A Kingdom of northern Germany. It is bounded on the north by the North Sea, Denmark, Oldenburg, and the Baltic, on the east by Russia, on the south by Austria, Saxony, etc., and on the west by Luxemburg, Belgium, and the Netherlands. In the north-

Prussia—Continued.

ern and eastern portions the country is generally level, but in the south and southwest it is hilly or mountainous. The chief agricultural products are rye, wheat, oats, potatoes, barley, millet, fruit, beet root, tobacco, and maize. Prussia is very largely engaged in manufacturing. The government is a hereditary constitutional monarchy, administered by a King and a Landtag consisting of two chambers. Prussia is the principal State of the German Empire. It has 17 votes in the Bundesrath and 236 members in the Reichstag. Hanover, Frankfort, Nassau, and some other States were acquired by Prussia in 1866. This resulted in forming the North German Confederation. As a result of the war between France and Germany, 1870-71, the German Empire was formed, with the crown hereditary in the Prussian dynasty. Area, 134,622 sq. miles; population (1900), 34,472,509.

Prussia:

American citizens in—

Expelled from, V, 592.

Impressed into military service of. (See Naturalized Citizens.)

Commercial relations with, II, 251.

Confederate envoys sent to Great Britain and France referred to. (See Mason and Slidell.)

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Vessels of United States, discriminating duties on, abolished by, II, 403.

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Public Buildings, Commissioner of. (See Buildings, Public, Commissioner of.)

Public Buildings, Surveyor of. (See Buildings, Public, Surveyor of.)

Public Credit. (See Credit, Public.)

Public Debt. (See Debt, Public.)

Public Defenses. (See Defenses, Public.)

Public Deposits. (See Deposits, Public.)

Public Documents. (See Records and Documents.)

Public Health. [(See Quarantine Regulations.)]

Public Health and Marine Hospital Service, United States:

Land reserved for, in Puerto Rico, X, 520.

Public Land Laws. (See Lands, Public.)

Public Land Offices. (See Land Offices, Public.)

Public Lands. (See Lands, Public.)

Public Lands Commission, report of, referred to, VII, 583; X, 715, 855.

Public Libraries, discussed, X, 452.

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Public Records. (See Records and Documents.)

Public Reservations. (See Reservations, Public.)

Public Revenue. (See Revenue, Public.)

Public Roads. (See Mail Routes.)

Public Statutes of United States. (See Revised Statutes.)

Public Supplies. (See Supplies, Public.)

Public Works. (See Internal Improvements.)

Publications, Official. (See Records and Documents.)

Puebla (Mexico), Battle of.—After Gen.

Scott had proceeded on his march to the City of Mexico Gen. Rea, a guerrilla chief, was joined by Santa Anna. Col. Childs, commandant of the Puebla garrison left by Scott, sent Capt. Blanchard with 33 men to capture a band of guerrillas. Blanchard and 22 men were ambuscaded and killed the latter part of August, 1847. Sept. 25 Santa Anna demanded the surrender of the forts at Puebla. Childs, who had only about 360 men, refused and maintained his position, in spite of an almost continuous fire of the Mexicans, until relieved by reinforcements under Gen. Lane, Oct. 12.

Pueblo Indians.—A common name for several distinct tribes and nations of Indians occupying western New Mexico, Arizona, Chihuahua, Texas and the valleys of the Rio Grande and Colorado rivers. The Zuñis inhabit the largest pueblos or villages. They are distinct nations. When discovered by the Spaniards they occupied 7 villages, known as the Seven Cities of Cibola, on the site of one of which stands the present pueblo of Zuñi. The Tañeoan are also a distinct stock of Indians and comprise several tribes of closely allied dialects. The Tusayan is a confederacy of tribes inhabiting northeastern Arizona. The Pueblo Indians have always been friendly. The Supreme Court declared them citizens in 1857. The name was also applied by Spaniards to the early colonies established in California by authority of Philip II. Pueblo lands were vested either by proprietary right in the individual or in companies reserving to them certain rights as citizens and colonists. The first settlers were also allowed money and supplies and permitted to elect their own magistrates, of whom the chief was the alcalde. They were allowed common use of the pasture lands reserved to the Crown outside the pueblo grants.

Puerto Rico.—The easternmost island of the Greater Antilles, lying between lat. 17° 54' and 18° 30' north and long. 9° 45' and 11° 25' east from Washington. It is bounded on the north by the Atlantic, on the east and south by the Sea of the Antilles, and on the west by the Mona Channel. It is the fourth in size of the Greater Antilles and has an extent of about 3,688 sq. miles—43 miles broad and 108 miles long. It is of an oblong form, extending from east to west. Puerto Rico was discovered by Columbus in 1493, and the inhabitants were conquered by

Puerto Rico—Continued.

Ponce de Leon in 1508-1520. It is the first among the Greater Antilles in density of population and prosperity. The eastern portion of the island is less populous than the western. The ground is very fertile, being suitable for the cultivation of cane, coffee, rice, and other products raised in Cuba, which island Puerto Rico resembles in richness and fertility. The climate is hot and moist, the maximum temperature often reaching 104°. Constant rains and winds from the east cool the heavy atmosphere of the low regions. On the heights of Central Cordillera the temperature is healthy and agreeable. Iron rusts and becomes consumed, so that nothing can be constructed of this metal. In the mountains the inhabitants enjoy the coolness of spring, while the valleys would be uninhabitable were it not for the daily breeze, which blows generally from the northeast and east. At one place the thermometer is as high as 90°, while in another it is sometimes under 60°. Although the seasons are not so distinctly marked in this climate as they are in Europe (the trees being always green), yet there is a distinction to be made between them. The division into wet and dry seasons (winter and summer) does not give a proper idea of the seasons in this island, for on the north coast it sometimes rains almost the whole year, while sometimes for 12 or 24 months not a drop of rain falls on the south coast. However, in the mountains at the south there are daily showers. As in all tropical countries, the year is divided into two seasons—the dry and the rainy. In general the rainy season commences in August and ends the last of December, southerly and westerly winds prevailing during this period. The hurricanes that visit the island, and which obey the general laws of tropical cyclones, are one of the worst scourges of the country. Earthquakes are somewhat frequent, but not of much consequence. The shocks are sometimes violent, and are usually repeated, but, owing to the special construction of the houses, they cause no damage. The general relief of Puerto Rico is much inferior in altitude to that of the rest of the Great Antilles, and even some of the Lesser Antilles have mountain summits which rival it. A great chain of mountains divides the island into two parts, northern and southern, which are called by the natives *Banda del Norte* and *Banda del Sur*. The whole island may be said to form a continuous network of sierras, hills, and heights. Few countries of the extent of Puerto Rico are watered by so many streams. Puerto Rico passed from the sovereignty of Spain to that of the United States by the treaty of Paris in 1898. Civil Government was established on May 1, 1900 and on July 25, 1901 it became a Territory of the United States, but it differs from other territories in two important respects, namely, that citizens of Puerto Rico are not *ipso facto* citizens of the United States and that the territorial form of government is not considered to be a preliminary to statehood. The Government of Puerto Rico is administered by a Governor and a Cabinet of six members appointed by the President of the United States; the Cabinet with five other persons constitutes the Executive council, of which five

members must be natives of the islands. The house of delegates consists of 35 members, five from each province, elected by popular vote, the suffrage being restricted by a small property qualification and an easy educational test. The Supreme Court of five members is also appointed by the President, and the judges of the district courts by the Governor, the large majority of the justices are native Puerto Ricans. Agriculture is practically the only industry and 79 per cent. of the population are engaged in it. Sugar, coffee, and tobacco are the chief products, although fruit and vegetables are raised in considerable quantities for export. The entire product of the tobacco fields comes to this country for manufacture, but the majority of the coffee is sold in the European markets. The mineral resources of the island are as yet undeveloped, although gold, silver, copper, mercury, and platinum are known to exist. For the year 1904 the exports amounted to \$17,043,932 and the imports to \$14,135,061. Since 1898 the trade between this country and Puerto Rico has increased to more than 6 times its former volume. The Census of 1900 reported the population at 953,243 of which 61 per cent. are whites, Puerto Rico being one of the few islands in the Antilles where the whites predominate.

Puerto Rico:

- American citizens in, unlawfully punished, II, 214.
- Campaign against, under command of Maj. Gen. Miles, X, 93.
- Citizenship for islanders, XI, 1176.
- Civil government of, X, 456, 590; XI, 1176.
- Commercial relations with, III, 41, 128; VIII, 239, 336, 504; IX, 35, 637.
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- Expeditions against, referred to, V, 208.
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- Lands reserved in, for light-houses, X, 618.
- Lands reserved in, for public purposes, X, 596, 615, 617.
- Military commission to superintend Spanish evacuation of, X, 97.
- Piracies from, suppressed, II, 214.
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- Sanitary problems connected with, referred to, X, 116.
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- Vessels from certain ports of, duties on, suspended by proclamation, VIII, 284.
- Vessels of Spain from, discriminating duties on, suspended by proclamation, VIII, 223, 490, 570.
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- Vessels of United States, discriminating duties and fines on, in, VIII, 39, 127, 176, 199, 201; IX, 529.
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- Retaliatory measures discussed, VIII, 176.
- Visit of American naval officer to, referred to, II, 276.

Puget Sound.—An arm of the Pacific extending into the State of Washington southward from the Strait of San Juan de Fuca, by which it is connected with the Pacific. The sound is divided into two parts—Puget Sound proper and Admiralty Inlet. The latter is to the north and the former to the south. Fine harbors are found along the sound, the water generally being quite deep. It is about 80 miles long.

Puget Sound Agricultural Co.:

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Pulaski, Count Casimir, brigadier-general in Army, service rendered by and compensation to, referred to, VIII, 539.

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Pumpkin Vine Creek (Ga.), Battle of. (See New Hope Church (Ga.), Battle of.)

Puritan, The, mentioned, X, 93.

Purvis, H. W., report of, on slaughter of American citizens in South Carolina, VII, 375.

Putman, Eunice, act to pension, vetoed, IX, 579.

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Putnam, William L., treaty with Great Britain on subject of fisheries concluded by, VIII, 604.

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Pyramid Lake Reservation, Nev., agreement for cession of portion of, IX, 214.

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Quallah Battoo, Sumatra, American citizens murdered in, II, 575.

Quapaw Indians, treaty with, II, 47, 279, 286; V, 296; VI, 518.

Quackenbush, Mrs. Roy L., mentioned, X, 625.

Quarantine.—A term derived from the French word "quarantaine" (m. Lat. *quarantena*), meaning "forty days." Passengers on vessels arriving at Venice from the Levant were formerly required to remain 40 days in the House of St. Lazarus or the Lazaretto. This regulation was afterwards adopted by other ports in southern Europe, and, with various changes in the period of detention, extended to travelers from all ports whence contagion might be carried. In the United States quarantine enactments were passed by the colonial legislatures and subsequently for many years by the States. The first national quarantine act was passed Feb 23, 1799, and required Federal officers to aid in the execution of State or municipal quarantine regulations. In 1878, however, a national quarantine

law was passed authorizing the establishment, in certain contingencies, of national quarantines. In March, 1883, \$100,000 was appropriated by the Federal Government for maintaining quarantine stations along the coasts, and the authority for declaring quarantine was conferred upon the President. Most of the quarantine stations are under State supervision. The mode of procedure is as follows: On the arrival of a vessel she is visited by the health officer, who examines her bill of health, musters the passengers and crew, and inspects the vessel in every part. If free from contagious disease, and if she does not hail from an infected port, she is allowed to proceed without further detention. If she hail from an infected port, she is detained until the expiration of the period of incubation of the disease prevalent at the port whence she sailed. If disease is found on board, or if the vessel is in an insanitary condition, the diseased persons are removed to a quarantine hospital and the vessel allowed to proceed after a thorough purification.

Quarantine Regulations (see also Contagious Diseases; International Sanitary Conference):

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Harrison, Benj., IX, 330.

Hayes, VII, 492.

Jefferson, I, 383.

Monroe, II, 285.

Roosevelt, X, 822, 856.

Quarter Dollar.—In 1786 the Continental Congress decided upon certain coins. Among these was a quarter dollar, to be made of silver. The United States Mint was established in 1792 and began coinage in 1793. It was not until 1796, however, that the silver quarter was issued. Its weight was fixed at 104 grains. It was reduced to 93 grains in 1853, and by the coinage act of 1873 was raised to 96.45 grains, or 0.200 of an ounce, the present weight, and 900 fine. The coin is legal tender to the amount of \$5. The quarter dollar of 1827 is one of the rare coins of the United States. There were no issues of this coin during the years 1798 to 1803, 1808 to 1815, nor during 1817, 1824, 1826, and 1830.

Quarter Eagle.—A gold coin of the United States authorized in 1792 and first coined in 1796. It is legal tender in any sum. The present weight of the coin is 0.134 ounce, or 64.5 grains, and the fineness 900. It is coined under an act of Congress of June 28, 1834.

Quartering Acts.—Certain acts of the British Parliament distasteful to the American colonists. The first was passed in 1765 and compelled the Colonies to provide the garrisons in America with fire, candles, vinegar, salt, bedding, cooking utensils, and liquors. This was the first act requiring the colonists to tax themselves for imperial objects. In 1774 an act was passed legalizing the quartering of imperial troops in Boston.

Quartermaster-General of Army, fireproof building for records in office of, recommended, VII, 572.

Quebec (Canada), Battle of.—After taking Montreal Gen. Montgomery proceeded down the St. Lawrence River to Quebec, where, on Dec. 5, 1775, he joined the expedition which had been sent by way of the Kennebec and Chaudière rivers under Benedict Arnold. Their combined forces amounted to about 3,000 men, supported by about a dozen light guns. Carleton had for the defense of Quebec one company of regulars, a sloop of war, and a few marines, together with as many of the citizens as could be induced to enlist—in all something like 1,600 men. On the night of Dec. 31 the city was attacked. Montgomery was killed, Arnold was wounded, and the troops retired in confusion. Three thousand troops were sent to reinforce Arnold, and 4,000 occupied Montreal, St. Johns, and Chambly. May 6, 1776, 3 brigades of infantry, besides artillery, stores, ammunition, transports, and men-of-war, arrived from England and the Americans retired, leaving Canada as it was before the invasion. (See also Montreal (Canada), Capture and Loss of.)

Queen, Walter W., thanks of Congress to, recommended, VI, 76.

Queens Anne's War.—The name by which the War of the Spanish Succession was known in America. It broke out in 1702 and was ended with the treaty of Utrecht in 1713. The New England Colonies suffered from frequent inroads of French and Indians from Canada, but the New York Colony was protected by the barrier of the Six Nations of Indians, then at peace with the English. Aug. 10, 1703, Indians under French leaders attacked Wells, Cape Porpoise, Saco, Casco, Scarborough, Spurwink, and Purpoosduck, completely destroying the last two. In 1704 and 1705 James Moore, of South Carolina, with 50 whites and about 1,000 Creek Indians, attacked and destroyed several Spanish settlements in Florida. Col. Church organized an expedition in Maine in 1704 and proceeded up the coast as far as the Bay of Fundy, destroying all the settlements and taking 106 prisoners, with the loss of only 6 men. Feb. 28, 1704, about 350 French Canadians and Indians burned the town of Deerfield, Mass., massacring 40 persons and taking 100 prisoners. After three attempts by the New England troops Acadia was finally captured. July 30, 1711, Gen. Nicholson left Albany with an army of 4,000 men and Hovenden Walker sailed from Boston with a fleet and 7,000 men, as well as a fine train of artillery, to attack Quebec and Montreal. The fleet was driven upon the rocks at the mouth of the St. Lawrence, losing 8 transports and more than 1,000 men. The survivors sailed for England and the army disbanded.

Queenston Heights (Canada), Battle of.—Early in October, 1812, Gen. Van Rensselaer resolved to invade Canada from western New York. His headquarters were at Lewiston, opposite Queenston, Canada. The American army consisted of 3,650 regulars and 2,650 militia. The British force on the western bank of the Niagara River numbered about 1,500, including about 250 Indians under John Brant. Maj. Gen. Brock, who had taken Detroit in August, had returned to the east and established his headquarters at Fort George. He posted batteries every mile along the river from there

to Queenston. On the morning of Oct. 13, 1812, the invasion was begun prematurely, insufficient boats having been provided for transportation. Reinforcements came so slowly that the advance guard was forced to surrender. Gen. Brock was mortally wounded, Van Rensselaer was disabled and the American command fell upon Capt. Wool. British reinforcements and Indians pressing hard upon the Americans, they were forced to surrender. About 900 Americans were taken prisoners, 90 were killed, and about 100 wounded. The British lost in killed, wounded, and captured about 130. The number of Indians killed is not known.

Querétaro, Treaty of. (See Guadalupe Hidalgo, Treaty of.)

Qui-nai-elt Indians, treaty with, V, 380.

Quids.—A name applied to the anti-Madison faction of the Republican party, led by John Randolph from 1805 to 1811. Jefferson strongly favored the succession of Madison and the Quids declared war upon the Administration, charging "backstairs" influence. They opposed the restrictive system and nominated Monroe in 1808.

Quiggle, Chloë, act granting pension to, vetoed, VIII, 648.

Quill-leh-ute Indians, treaty with, V, 380.

Quint.—One of the silver coins presented by Robert Morris to the Continental Congress in 1783 for consideration as a national coin. It weighed 5 pennyweights and 15 grains and was equal to about 35 cents. On the obverse was an eye, 13 points crossing (equidistant) a circle of as many stars, and the legend "Nova Constellatio;" on the reverse, "U. S. 500," surrounded by a wreath and the legend "Libertas Justitia." This coin was not accepted and afterwards, with the mark, became known as the Nova Constellatio coinage.

Quitman, John A., mentioned, IV, 565.

Quorum.—A word adopted from the Latin, meaning in the original tongue "of whom." Legally it denotes a certain specified number out of a larger number necessary to act for certain purposes. Business in charge of trustees or committees might often be retarded on account of the absence of one or more members if the actions of a quorum were not legal. Unless otherwise stipulated, a majority of the members of any body is considered a quorum. In parliamentary usage a quorum is the number that must be present in order that business may be transacted. It is sometimes less than 1 per cent. of the members, as in the case of the British House of Lords, where 3 out of 450 members constitute a quorum. According to the Constitution, a majority of either branch of Congress constitutes a quorum. For the first fifty Congresses the presence of a constitutional quorum in the House was determined by a count of votes. No matter how many members were present, unless a majority voted it was considered there was not a quorum present. This sometimes led to obstructive tactics. In 1890, during the first session of the Fifty-first Congress, the Speaker of the House ruled that a quorum was present when enough members were visible to constitute a quorum, whether they voted or not. The Senate enforces the rule which requires a majority of the body to vote in order that a quorum may be counted,

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Radcliffe, William, compensation to, X, 718.

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Railroad Transportation:

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Freight rates, establishment of maximum and minimum recommended, XI, 1135.

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Atlantic to Pacific States recommended, V, 457.

Missouri River to Pacific Ocean, uniform gauge for, VI, 160.

Omaha, Nebr., to Sacramento, Cal., discussed, VI, 683.

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Revocation of withdrawal of, referred to, VIII, 612.

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Rebates, Federal abolition of, recommended, X, 809; XI, 1134, 1135.

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Right of way for, through reservations. (See Indian Reservations.)

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Strikes discussed. (See Strike Commission.)

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Discussed, VII, 110.

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Taxation of, discussed, VIII, 143.

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Transportation rates. (See Railroad Transportation.)

Railroads, Commissioner of, report of, discussed, IX, 205, 328.

Railway Mail Service:

Classification of employees in, VIII, 844.

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Discussed, IX, 450.

Railway Postal Service. (See Postal Service; Railway Mail Service.)

Raleigh, The, mentioned, X, 72.

Ralph, Dr. William L., mentioned, X, 801.

Rambouillet Decree.—Mar. 23, 1810, after the American Congress had repealed the non-intercourse act of Mar. 1, 1810, Napoleon ordered the immediate seizure and sale of all American vessels in the ports of France or the ports of her territories occupied by French armies. In this decree Napoleon avowed his determination to prohibit any commercial intercourse with the enemies of France which was not enjoyed by that country also. Under this decree 132 vessels, with their cargoes, valued at \$8,000,000, were ordered sold. (See also Berlin Decree; Embargo; Milan Decree; Nonintercourse Acts.)

Ramsay, David, arrest and maltreatment of, at Heidelberg, Baden, V, 239.

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Ramsey & Carmick, claims of, referred to, V, 534.

Randall, A. F., mentioned, VI, 611.

Randall, Alex. W., correspondence of, transmitted, VI, 606.

Randall, Sally A., act granting pension to, vetoed, VIII, 664.

Randolph, Edmund, Attorney-General, proceedings of Cabinet were signed by, Aug. 5, 1793.

Randolph, John, Jr., letter of, demanding that certain of the navy officers who had insulted him, be punished, I, 301.

Ranger, The, referred to, II, 467.

Ransom, George M., thanks of Congress to, recommended, VI, 76.

Raritan, The, postponement of sailing of, referred to, IV, 276.

Ratification of Constitution.—The Constitution, by its terms, was not to become binding until ratified by nine of the thirteen States. It was signed by the delegates in convention Sept. 17, 1787, and by them submitted to Congress. Congress immediately ordered copies sent to all the States. Hamilton, Jay, and Madison took leading parts in bringing about the ratification by the States. Gen. Washington's great influence was also thrown into the scale. The commercial classes in most of the States favored its adoption, but there was much opposition to it on all sides. Delaware was the first State to ratify the new document, taking favorable action thereon Dec. 7, 1787. It was then ratified by the other States in the following order: Pennsylvania, Dec. 12; New Jersey,

Ratification of Constitution—Continued.

Dec. 18; Georgia, Jan. 2, 1788; Connecticut, Jan. 9; Massachusetts, Feb. 6; Maryland, Apr. 28; South Carolina, May 23; New Hampshire, June 21; Virginia, June 25; New York, July 26; North Carolina, Nov. 21, 1789, and Rhode Island, May 29, 1790. The Constitution went into effect Mar. 4, 1789, before North Carolina and Rhode Island had ratified it.

Ratification of Constitution. (See Constitution.)**Rawlins, John A.:**

Secretary of War, death of, announced and honors to be paid memory of, VII, 24.

Statue of, recommendations regarding erection of, VII, 170.

Ray, James B., treaty with Indians concluded by, II, 365.**Raymond, Charles H.,** mentioned, IV, 357.**Raymond (Miss.),** Battle of.—May 7, 1863,

Sherman effected a junction with Grant, swelling the force about to proceed to the siege of Vicksburg to 50,000 men, including infantry, cavalry, and artillery. Grant immediately ordered a general movement on two parallel roads on the southeast of the Big Black River. McPherson, advancing on the road nearest the river, met two brigades of the enemy, under Gregg and Walker, at Raymond, 15 miles southwest of Jackson, on May 12, and after a sharp engagement defeated them. The Confederate loss was 103 killed and 720 wounded and missing. McPherson lost 69 killed, 341 wounded, and 32 missing.

Read, John, agent of United States, referred to, I, 340.

Readjusters.—A faction of the Democratic party in Virginia in 1878. Its formation was due to the passage of a bill by the State legislature in the early part of that year providing for the refunding of the State debt. The party was led by William Mahone and was violently opposed to the payment of the entire debt, holding that the State of West Virginia should share in the payment of the debt, as that State enjoyed some of the benefits of the original loan. In 1879 and 1881, by combining with the Republicans, they gained control of the State government and elected Mahone to the United States Senate, and later elected H. H. Riddleberger to the same position.

Real Estate, liens and incumbrances on property of United States referred to, III, 567.

Rear-Admiral.—This is a naval grade created by act of Congress in 1862. This grade in the Navy ranks with that of major-general in the Army. Until the special acts creating the grades of admiral and vice-admiral, that of rear-admiral was the highest naval office. There are now 15 rear-admirals ranking with major-generals in the Army, and 9 rear-admirals ranking with brigadier-generals.

Rear-Admiral, rank of acting, conferred upon certain officers inquired into, VIII, 261.

Rebecca, The, seizure and sale of, at Tampico, VIII, 538; IX, 67.**Rebellion Records.** (See War of Rebellion, Official Records of.)**Rebellion, War of.** (See War between the States.)**Rebellions.** (See Illegal Combinations.)**Rebello, Vincenzo,** seizure of, at New Orleans, VIII, 66.**Reciprocal Trade Agreements.** (See Foreign Import Duties.)

Reciprocity.—Reciprocity is the granting by one nation of certain commercial privileges to another, whereby the citizens of both are placed upon an equal basis in certain branches of commerce. A reciprocity agreement between the United States and Canada was concluded in 1854 and terminated in 1866. A similar one was made with Hawaii in 1875. Other treaty arrangements of a reciprocal character were made from time to time. The subject derived the greatest interest from attention directed to it in 1888 and the final incorporation of the principle in the tariff of 1890. For many years previous to this time the anti-protection or tariff-reform party had attacked the existing tariff regulations on the ground that by levying high duties on the products of South American Republics those countries had not only to send their products elsewhere for sale, but, as a natural consequence, to purchase their goods in other markets than those of the United States; in other words, that a vast trade was diverted from us to Europe because of the restrictions imposed upon commerce by our tariff. This discussion led to the adoption of a reciprocity arrangement with Central and South American countries. The first step toward this end was the calling of the Pan-American Congress (q. v.). Among the numerous subjects of mutual interest discussed at this congress was a recommendation for reciprocity treaties. In June, 1890, the Secretary of State, James G. Blaine, sent a letter to the President for transmission to Congress calling attention to the proposed scheme. He suggested a practical and prompt test of the reciprocity principle by an amendment to the McKinley tariff bill, then pending, (see Tariff), authorizing the President to declare the ports of the United States free to all the products of any nation of the American hemisphere upon which no export duties are imposed whenever and so long as such nation shall admit to its ports, free of all national, provincial, municipal, and other taxes, certain specified articles from the United States. The "reciprocity section" was incorporated in the tariff law approved Oct. 1, 1890. This clause was held to be constitutional by the Supreme Court and the first treaty negotiated under it was with Brazil, Feb. 5, 1891. Treaties were also negotiated with Spain (for Cuba and Puerto Rico); with England (for some of her West Indian possessions); with Santo Domingo, Guatemala, Salvador, Costa Rica, Honduras, Nicaragua, Germany, Austria-Hungary. These treaties were abrogated by the passage of the Wilson bill (see Tariff) in 1894. The Dingley law of 1897 provided for reciprocity treaties, to be made by the President, with regard to a limited number of articles; and for broader treaties to be negotiated by the President, subject to the ratification of the Senate. Of the first class, agreements were made with France, Italy and Switzerland; of the second class, treaties were negotiated with France, Great Britain (for Jamaica, Turks and Caicos islands, Barbados, and British Guiana), Denmark (for the Danish West Indies), San Domingo, Nicaragua, Ecuador and the Argentine Republic, but

Reciprocity—Continued.

none of them secured the ratification of the Senate. A reciprocity treaty with Cuba was ratified by the Senate in March, 1903, and the additional legislation necessary to put it in force was passed in December of the same year.

Reclamation Act, working of, XI, 1162.**Reclamation Service**, discussed X, 653, 816.

Reconcentrados.—The name given the agricultural inhabitants of Cuba who were by the edict of Feb. 16, 1896, of Captain-General Weyler, concentrated within the lines of the Spanish armies and cities of that island. This resulted in great suffering to the persons thus herded together, many of them dying of disease and from starvation. The mortality was so frightful and their suffering so intense that their condition excited universal pity. On the suggestion of the President, the United States Congress made an appropriation for their relief.

Reconcentrados:

Appropriation for, recommended, X, 67.

Policy of Gen. Weyler regarding, discussed, X, 31, 58, 59, 83.

Revoked, X, 60.

Reconstruction.—In American politics a term signifying the restoration of those States which had seceded of local self-government and normal relations with the Union. The period of reconstruction embraced the Administrations of Johnson and Grant and presented some perplexing problems to the statesmen of the reunited country: Were the States still in the Union, with no other disability than that of having no legal governments, or had their act of secession reduced them to the condition of territories subject to the Union? Did reconstruction mean their erection into new States or their restoration with their old names and boundaries? Did the power to reconstruct lie in the States themselves or in the General Government; and if in the General Government, did it lie with Congress or with the Executive? If it lay with the people of the disorganized State, who or what defined that people and decided who might and might not vote in the reorganization? If it lay with Congress, could the Executive without the authority of Congress, proceed to reconstruct, simply leaving it to Congress to accept or reject the States so reconstructed? President Lincoln had proceeded upon the theory that nothing more was necessary than that a sufficient number of loyal citizens should form a State government of which the officials were loyally desirous of maintaining constitutional relations with the Union (VI, 222). President Johnson proceeded upon nearly the same theory. The view held by the majority in Congress was that the Southern States could be readmitted only on such terms as that body should impose. The ground taken in support of this view was that the substantial results of the war respecting the civil rights of the negro could not be secured in any other way, because of the reluctance of some legislatures to accept these results. Before Congress met in December, 1865, President Johnson had recognized provisional governments in all the Southern States except one, on their acceptance of the thirteenth amendment. Congress then proposed the fourteenth amendment and insisted

upon its acceptance as a prerequisite to readmission to the Union. The same body, on Mar. 2, 1867, passed, over President Johnson's veto, the military reconstruction bill introduced in the House by Thaddeus Stevens. Under this law the South was divided into five military districts under the command of generals of the Army, who were to effect a registration of voters, including negroes and excluding those persons who had been disqualified by the fourteenth amendment. These voters were to make and ratify a constitution and submit it to Congress, and if it was acceptable the State should be reinstated whenever its legislature had ratified the fourteenth amendment. Tennessee was readmitted to the Union in 1866, Alabama, Arkansas, Florida, Georgia, Louisiana, North Carolina, and South Carolina in 1868, and Mississippi, Texas and Virginia in 1870. (See also Restoration.)

Reconstruction Acts:

Interpretation of, VI, 552.

Proceedings of President and Cabinet regarding, as set forth in National Intelligencer, discussed, VI, 527.

Repeal of, recommended, VI, 562, 672.

Vetoed. (See Reconstruction.)

Reconstruction of Southern States (see also Restoration):

Act providing for more efficient government of rebel States vetoed, VI, 498.

Acts supplementary to, vetoed, VI, 531, 536.

Assignments under, VI, 551, 552, 556, 557, 661, 662, 663, 664, 665, 666, 668, 671.

Expenses of carrying act into effect discussed, VI, 521, 525, 566.

Joint resolution to carry act into effect approved and reasons therefor, VI, 521.

Joint resolutions to carry acts into effect vetoed, VI, 545.

Acts to admit certain Southern States into Union vetoed, VI, 648, 650.

Discussed by President—

Grant, VII, 11, 28, 96.

Referred to, VII, 400.

Hayes, VII, 442, 458, 493.

Johnson. (See Restoration.)

Government for Tennessee, more efficient for, and other rebel states vetoed, VI, 498.

Ratification of fourteenth amendment proclaimed—

Alabama, VI, 659.

Georgia, VI, 660.

Louisiana, VI, 658.

North Carolina, VI, 656.

South Carolina, VI, 657.

Record, Congressional. (See Congressional Record.)**Records and Documents** (see also Exchanges for Official Documents; International Bureau of Exchanges):

Building for, VII, 500; VIII, 194; X, 231.

Documents in care of legations referred to, VII, 116.

Laws for punishing persons abstracting or mutilating, recommended, V, 147, 177, 408.

Rector, Wharton:

Conviction of, for crimes committed referred to, II, 476.

Indian agent, renomination of, and reasons therefor, II, 482.

Red Cloud Agency, Nebr., deficiency in supplies at, VII, 358, 359.

- Red Cross, American National:**
Aid furnished Cubans by, discussed, X, 59, 83.
Work accomplished by, in Spanish-American War discussed, X, 95.
- Red Cross Association,** international conference of:
Held at Carlsruhe, Baden, referred to, VIII, 620.
Report of, referred to, VIII, 269.
- Red Cross, International,** proposition of Switzerland to extend compact of, in Spanish-American War discussed, X, 111.
- Red-Line Map.**—An early map of part of North America, discovered by Jared Sparks in the archives of Paris and sent to Daniel Webster during treaty negotiations with Great Britain over the northeastern boundary question. It had been executed in 1746 by D'Anville, and later (1782) sent to the French minister, Vergennes, by Franklin. A strong red line drawn near the ridge in which the Kennebec and Penobscot rivers rise more than favored the English claims respecting the northeastern boundary of the United States. The map was displayed in a secret session of the Senate and before the Maine commissioners, and was, in part at least, the ground on which the Webster-Ashburton treaty was signed.
- Red River:**
Exploration of, I, 398.
Unsuccessful, I, 408.
Improvement of, progress made in, III, 223.
- Redemptioners.**—A name applied to a class of indentured servants who came to the American Colonies under bond for a certain number of years in payment for their passage hither. Many were kidnapped and placed in forced slavery for a term of years. They usually served from 4 to 7 years. On their release these redemptioners were awarded 50 acres of land and became free citizens. The system was introduced into Virginia with the first colony in 1607 and in Massachusetts in 1631. It obtained also in Maryland, New York, Connecticut, and Pennsylvania, but was discontinued in 1750.
- Redstone, Albert,** act for relief of, returned, IX, 479; X, 128.
- Reed, Catharine,** act granting pension to, vetoed, VIII, 721.
- Reed, John, sr.,** act granting pension to, vetoed, VIII, 559.
- Reed, Levi L.,** bill for relief of, vetoed, X, 592.
- Reed, Marinda W.,** act granting pension to, vetoed, VIII, 835.
- Reed, Silas,** surveyor of Missouri and Illinois: Nomination of, and reasons therefor, IV, 103.
Error in, corrected, IV, 104.
Official conduct of, referred to, IV, 359, 361.
- Reed, William B.:**
Commissioner to China, instructions to, referred to, V, 484.
Dispatches of, regarding convention with China, referred to, V, 540.
- Reeder, Clarence,** mentioned, X, 801.
- Reeves, Benjamin H.,** treaty with Indians concluded by, II, 323.
- Reform Schools.** (See District of Columbia.)
- Refunding.**—The process of substituting a series of low-interest-bearing bonds for those of a higher rate or for a floating debt not funded. Aug. 31, 1865, the debt of the United States amounted to \$2,845,907,626, of which sum only \$1,109,568,192 was funded. By December, 1867, the floating debt, compound-interest notes, seven-thirties, and United States notes had been converted into a funded debt of nearly \$700,000,000. The refunding act of 1870 authorized the issue of certain amounts of 5, 4½, and 4 per cent. bonds to take the place of the existing bonds, most of which were bearing 6 per cent. interest. During the next 10 years this substitution was carried to an extent that decreased the annual interest charges from \$82,000,000 to \$62,000,000. In 1881 the annual interest was decreased nearly \$20,000,000 more by the Windom refunding scheme, which converted \$460,000,000 5 and 6 per cent. bonds into bonds bearing 3 and 3½ per cent. interest.
- Register of Debates.**—A record of the Congressional debates and proceedings from December, 1824, to October, 1837. It was a continuation of the Annals of Congress and contains many valuable state papers as well as the routine Congressional work. The Register of Debates was succeeded by the Congressional Globe. (See also Annals of Congress; Congressional Globe; Congressional Record.)
- Registration.**—A precaution taken in certain States to prevent frauds in elections. It consists of the preparation of lists of the electors of every precinct, voters being required to present themselves before the registrar on specified days prior to election to have their names recorded and to answer questions as to their qualifications as electors. These lists are open to inspection and scrutiny by the public.
- Registration Bureau** of naturalized citizens recommended, VIII, 241, 336, 505, 785.
- Registry, American,** repeal of law denying, to ships built abroad and owned by Americans recommended, IX, 553.
- Regulators.**—In 1768 the people of Orange County, N. C., oppressed by the unjust acts of Edmund Fanning, clerk of the court of Orange, formed an association, headed by Herman Husbands and William Hunter, for regulating public grievances and abuse of power. They sent messengers to the governor with a statement of their grievances. The governor and council decided that the course of the Regulators tended to high treason, and on their reassembling in July to hear the report of the messengers, the governor, at the head of a body of troops compelled them to take the oath of allegiance to the Crown and disperse. Some of the leaders of the Regulators were held to answer in the courts for their actions. The following year another petition was rejected. The Regulators offered an organized resistance to the troops, under Governor Tryon, and at Alamance, on the Haw River, they were routed by the governor and their leaders arrested. Some of these leaders were executed. Martin, the next governor, compromised with the Regulators.
- Reid, Samuel O.,** battle sword of father offered to United States by, VIII, 534.
- Reid, Whitelaw,** member of Spanish-American Peace Commission, X, 97.
- Reiter, George C.,** conduct of, in connection with arrest and killing of Gen. Barrundia referred to, IX, 134.
- Relations, Foreign.** (See the several powers.)

Relief Party.—A political faction in Kentucky politics between 1820 and 1826. The party was composed of debtors and included a majority of the voters. It advocated relief of delinquent debtors and disputed the constitutionality of the replevin act. In 1823 the supreme court decided the replevin act to be unconstitutional and in 1824 the legislature of the State repealed the court of appeals act and organized a new court. The Relief Party then became known as the New Court Party. The Anti-Relief or Old Court Party, securing a majority in the legislature in 1827, restored the old court, and the issue was not renewed.

Religious Establishments:

Baptist church in Mississippi Territory, act for relief of, vetoed, I, 490.

Protestant church at American embassy at Rome, removal of, referred to, VI, 464, 519.

Protestant Episcopal church in Alexandria, Va., act incorporating, vetoed, I, 489.

Separation of church and state, recommendation to declare, VII, 356.

Value of church property discussed and taxation of, recommended, VII, 334, 356.

Removals from Office.—The Constitution gives the President power to make appointments to civil office by and with the advice and consent of the Senate, but is silent on the subject of removals. Debate on this point arose in Congress in 1789, and it was concluded to allow the power of removal to rest with the President alone. This continued to be the policy of the Government until 1867. In this year charges were preferred in the House of Representatives against President Johnson, alleging corrupt use of the appointing, pardoning, and veto powers, corrupt disposition of public property, and interference in elections. The charges were referred to the Judiciary Committee and a bill was prepared and passed over the President's veto providing that, with certain exceptions, every officer appointed by the President with the concurrence of the Senate should retain his office until a successor should in like manner be appointed. This is known as the tenure-of-office act (q. v.). Johnson's suspension of Secretary Stanton in violation of this act led to his impeachment in 1868. The law was repealed in 1887.

Removals from Office (see also Executive Nominations):

Act regulating tenure of certain civil offices vetoed. (See Tenure-of-Office Act.)

Discretionary authority of President regarding, discussed by President—

Cleveland, VIII, 375.

Grant, VII, 38.

Jackson, III, 132.

Johnson, VI, 492, 569, 622.

Tyler, IV, 88. (See also IV, 52.)

For partisan purposes discouraged, IV, 88.

Partisan interference in elections cause of removal, IV, 52.

Referred to, III, 579; IV, 58, 59.

Resolution of Senate regarding, and reply of President Hayes, VII, 481.

Rennels, Hiram G., receiver of public money, nomination of, II, 477.

Reno, Jesse L., major-general in Army, nomination of, and reasons therefor, VI, 161.

Renshaw, William B., thanks of Congress to, recommended, VI, 76.

Renwick, James, report of, as commissioner on northeastern boundary. (See Northeastern Boundary.)

Representatives.—The constitutional designation of the members of the House of Representatives. They are elected by direct vote of the people, in representative districts fixed by State law, according to the apportionment made every 10 years by Congress as to the quota of each State. Representatives must be at least 25 years of age, residents of the State in which chosen, and citizens of the United States for 7 years previous to their election. (See also Congress; Apportionment; and House of Representatives.)

Representatives:

Appointment of, by President in whose election they have been officially concerned, discussed, II, 448, 557.

Appointments to office, relation of, to. (See Executive Nominations.)

Apportionment of—

According to census of 1890 necessary, IX, 118.

Bill for—

Approved and reasons therefor, IV, 159.

Vetoed, I, 124.

Delay in making, referred to, V, 145.

Election of—

Federal supervision of, recommended, IX, 55, 127, 331.

Gerrymander discussed, IX, 208.

Law appointing day for, recommended, V, 572, 650.

List of, appointed to office referred to, II, 22, 345, 633; IV, 510.

Loyal Senators and, denied admission to seats in Congress discussed, VI, 446.

President declines to give names of, applying for office, IV, 105.

Representatives-at-Large.—Representatives in Congress elected on general tickets, as distinguished from those elected on district tickets, in cases where the State has failed to redistrict after it has become entitled to additional representation in Congress. (See Apportionment; House of Representatives.)

Representatives, House of. (See Congress.)

Republican Party.—In the early days of the Republic Thomas Jefferson became the leader of a party opposed to the monarchical ideas of the Federalists. This party was first known as the Democratic-Republican, and the adherents were called both Democrats and Republicans, usually the latter, until the Jackson-Adams contest. The Republican party of later days was formed in 1854, with opposition to slavery as its chief tenet. The compromise of 1850 (q. v.) had disrupted the Whig party. The passage of the Kansas-Nebraska act materially influenced the general coalition that followed of Whigs, Free Soilers, Abolitionists, and Know-Nothings. They assumed the name of Republicans and at once won a plurality in the House of Representatives. They held their first national convention in Philadelphia in 1856, and nominated Fremont and Dayton for President and Vice-President. At the election which followed they were defeated, but in 1860 again came into control of the House. In 1860 they elected Mr. Lincoln to the Presidency. For the next 14 years the party was

Republican Party—Continued.

supreme. It enlarged the powers of Congress by a broad construction of the Constitution, carried on the Civil War, abolished slavery, reconstructed the governments of the seceding States, maintained a protective tariff, and refunded the national debt. The party nominees during this period were : 1860, Abraham Lincoln, of Illinois, and Hannibal Hamlin, of Maine; 1864, Abraham Lincoln, of Illinois, and Andrew Johnson, of Tennessee (Johnson becoming President on the death of Lincoln); 1868, Ulysses S. Grant, of Illinois, and Schuyler Colfax, of Indiana; 1872, Ulysses S. Grant, of Illinois, and Henry Wilson, of Massachusetts. In 1872, those who opposed General Grant's administration left the party and formed the Liberal Republican party (q. v.). In 1874 the party lost control of the House of Representatives and did not regain it until 1880. In 1876 it elected Rutherford B. Hayes, of Ohio, and William A. Wheeler, of New York (see Electoral Commission). In 1880 James A. Garfield, of Ohio, and Chester A. Arthur, of New York, were elected (Arthur becoming President on the death of Garfield), but the party lost control of the House in 1882. In 1884 James G. Blaine, of Maine, and John A. Logan, of Illinois, were defeated but the party retained control of the Senate. In 1888, Benjamin Harrison, of Indiana, and Levi P. Morton, of New York, were the candidates and were successful on a tariff issue. The party also regained control of the House in that year. Dissatisfaction with the McKinley tariff law led to the loss of the House by the Republicans in 1890 and in the Presidential campaign of 1892 President Harrison (Whitelaw Reid, of New York, being the Vice-Presidential candidate) was defeated for reelection, and the party lost control of the Senate. In 1894 the Republicans again regained control of the House, which they have since held by a large majority. In 1896 the free coinage of silver appeared as an issue and the platform of the Republican convention at St. Louis declared against free coinage "except by international agreement with the leading commercial nations of the world" and favored the gold standard "until such agreement could be obtained." As a result of this opposition to the gold standard many western Republicans left the party and supported William J. Bryan, the Democratic candidate. The Republicans were successful, however, William McKinley, of Ohio, and Garret A. Hobart, of New Jersey, being elected, their popular vote being 7,111,607 and the electoral vote 271. In 1900 the issues were "imperialism" (defined by the Democrats as the tendency of the Republic, under Republican rule, to move away from the old democratic practices and beliefs), silver, the tariff and trusts. The Republicans were again successful, William McKinley, of Ohio, and Theodore Roosevelt, of New York, being elected, receiving 7,208,244 popular votes and 292 electoral votes. President McKinley was assassinated September 6, 1901 and died on the 14th of that month, Theodore Roosevelt then succeeding to the Presidency. During the administration of McKinley and Roosevelt the party passed the Dingley tariff law on protective lines (see Tariff); the Spanish War was carried to a successful conclusion; the rebellion in the Philippines

extinguished and the islands given a stable civil government; Hawaii was annexed; and a currency bill establishing the gold standard was passed. During this administration also our new possessions in the far East brought the United States into the group of World Powers, the American soldiers taking part in the relief of the Legations at Peking (see Boxers); and Secretary Hay's diplomacy secured the "open door" in China. In 1904 there were no well defined issues, the silver and tariff questions being in abeyance. The Republican candidates, Theodore Roosevelt, of New York, and Charles W. Fairbanks, of Indiana, were successful, the popular vote being 7,624,982 and the electoral vote 336. Besides the suppression of slavery the Republican party has favored full citizenship to emancipated slaves, prompt payment of the national debt, tariff for protection as well as revenue, free ballot, generous pension legislation, increase of the Navy and the strengthening of the coast defenses, a system of national bank currency based on United States bonds deposited with the Secretary of the Treasury, a national circulating medium based on a gold standard, a vigorous foreign policy, a liberal interpretation of the Monroe Doctrine, national protection of timber, encouragement of irrigation, and the building of the Panama Canal by the United States.

Republican Party in Pennsylvania.—A party organized in that State in the period before the adoption of the Constitution of the United States to advocate a stronger form of Federal government than that comprehended by the Articles of Confederation. It formed the germ of the Federal party in Pennsylvania. The Republicans were opposed by the Constitutionalists.

Republican River, bridge over, reconstruction of, recommended, VIII, 190.

Republican Valley Railroad, right of way across Otoe and Missouri Reservation, Nebr., for, bill for, VIII, 94.

Repudiation.—The refusal of a state or government to pay or to be bound by debts contracted by a previous administration. In 1790 the debts of all the States of the Union were assumed by the National Government, partly on the ground of justice, because they had been contracted in the prosecution of the Revolutionary War, and partly on the ground of expediency, as this action tended to strengthen the credit of the States. For 40 years thereafter the States remained almost free from debt. Bonds of the several States were easily disposed of abroad, and by 1840 an aggregate of \$200,000,000 had been sold. In that year Indiana found it impossible to pay the interest on her outstanding bonds, and it was only by strong efforts that Ohio managed to meet her obligations. In 1842 the Bank of Pennsylvania failed, and soon afterwards Pennsylvania, Maryland, Mississippi, Michigan, Louisiana, Indiana, and Illinois, found themselves almost bankrupt. They all suspended payment of interest on their debts, but Mississippi, Michigan, Louisiana, and North Carolina felt constrained to repudiate the capital as well as interest. It was in Mississippi that the word "repudiation" originated in this connection. Governor McNutt, in a message to the legislature, suggested a plan for "repudiating the sale of

Repudiation—Continued.

certain of the State bonds on account of fraud and illegality." The bonds fell into default and an appropriation for their payment was overwhelmingly defeated at the polls in 1852. Michigan repudiated certain canal bonds. The Southern States came out of the Civil War with heavy indebtedness and diminished resources, and were in some instances almost bankrupt. In the years immediately following the close of the Civil War most of the Southern States compromised or readjusted their bonded indebtedness, and in some States the legislature declared certain bond issues fraudulent, illegal, and void. During the depression following the panic of 1873 some cities, towns, and countries endeavored to repudiate their bonds, but the Supreme Court of the United States gave judgments against them. The eleventh amendment forbids suits against the States. In 1903 certain of the repudiated bonds of North Carolina came into the possession of the State of North Dakota, and North Carolina was sued in the Supreme Court by the latter State for payment. The Supreme Court, by a decision of Feb. 1, 1904, held that North Carolina was liable for and must pay both principal and interest on the bonds in question. Some European countries have also at times repudiated their obligations.

Requisitions.—Under the Articles of Confederation the Continental Congress had only one means of raising money — by requisitions upon the States. Between 1782 and 1786 requisitions amounting to more than \$6,000,000 had been made. Only one-sixth of this had been paid by March, 1787. Under the Constitution the President may make requisitions upon the States for men to assist the National Government in time of war, but there is no provision for requisitions of money. Instead that instrument provides for the expenditures of the Government by duties on imports and taxes collected from the citizens.

Resaca (Ga.), Battle of. — Mar. 14, 1864, Gen. Sherman was placed in command of the Military Division of the Mississippi, which was composed of the Army of the Cumberland, under Maj. Gen. Thomas; the Army of the Tennessee, under Maj. Gen. McPherson, and the Army of the Ohio, under Maj. Gen. Schofield, and numbered a total of 98,797 men and 254 guns. The Confederate forces under Gen. Johnston were estimated at 60,000. After the battle of Chattanooga the Confederates had retreated to Dalton, Ga., 39 miles southeast of Chattanooga and 99 miles northwest of Atlanta. May 4 Sherman made a demonstration in front of the Confederate position on Rocky Face Mountain, northeast of Dalton, while McPherson, with some 40,000 men, attempted to turn the Confederate left and occupy Resaca. Johnston thereupon, on May 13, evacuated Dalton and fell back upon Resaca. Polk was posted on Johnston's left, resting on the Oostanaula River, Hardee in the center, and Hood on the right. Sherman laid a pontoon bridge across the Oostanaula and sent a division across to threaten Johnston's connections with Rome, while the main body of the army pressed Resaca in front. May 14 an attack by a portion of Sherman's force was repulsed with a loss of 1,000 men. Johnston attempted to turn

Sherman's left flank, which gave McPherson a good position, to recover which the Confederates fought stubbornly till 10 o'clock that night. Skirmishing was renewed the next morning and continued all day. During the night of the 15th Johnston again retreated. Sherman's losses during the two days were between 4,000 and 5,000 in killed, wounded, and missing. Johnston's losses aggregated 2,500.

Resaca de la Palma (Tex.), Battle of. — On May 9, 1846, the day following the battle of Palo Alto, Gen. Taylor's army of 2,200 proceeded on the way toward Fort Brown. When about 3 miles from the Rio Grande River, Arista's army of 5,000, which had been slowly retreating before the advancing Americans, halted in the valley of Resaca de la Palma (dry river bed of the palm) and prepared to give battle. At 3 o'clock in the afternoon the action began. Before dark the Mexicans were completely routed. They fled in disorder across the river to Matamoros. Eight pieces of artillery, large quantities of ammunition, 3 standards, and about 100 prisoners, including Gen. La Vega and other officers, fell into the hands of the Americans. The total casualties in the Mexican army were 755. The American loss was 107.

Resaca de la Palma, Tex., battle of, referred to, IV, 445, 450, 492.

Reservations. (See Indian Reservations; Lands, Indian; Military Reservations; Reservations, Public; Washington City.)

Reservations, Public:

Discussed, X, 121.

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Resolute, The, restoration of, to British Government discussed, V, 420.

Restoration of Southern States (see also Reconstruction):

Acts regarding, vetoed. (See Reconstruction.)

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Provisional governor appointed for—

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Georgia, VI, 318.

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North Carolina, VI, 312.

South Carolina, VI, 326.

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Resumption. (See Specie Payments.)

Returning Boards.—Boards established in certain States for the purpose of canvassing the returns of an election. The reconstructed State governments of South Carolina, Florida, and Louisiana, created by statute returning boards to canvass and certify to the returns of elections held in those States. In violation of the generally accepted principle of State government, these returning boards were clothed with judicial as well as ministerial powers. This subject is of interest chiefly in relation to the Presidential election of 1876, in which the result depended upon the action of these boards.

Revenue-Cutter Service:

Act relating to revenue cutters and steamers vetoed, IV, 366.

Land reserved for use of, X, 519.

Organization of, II, 525.

Retirement of officers in, X, 526.

Steam vessels in, employment of, recommended, III, 558.

Revenue Flag.—The last act of the Fourth Congress, Mar. 2, 1799, was to pass a law to regulate the collection of duties and tonnage and to establish ports of entry. In order that the vessels of the collection officers might be easily recognized, Congress ordered that vessels in the revenue service carry a flag of 16 perpendicular stripes, alternate red and white, the union of the ensign bearing the arms of the United States in dark blue on a white field beneath a semicircle of 13 blue stars.

Revenue Inspectors, salary of, I, 135.

Revenue Laws. (See Revenue, Public.)

Revenue Officers, official conduct of, referred to, II, 346.

Revenue, Public.—In a political sense the revenue of a state is the annual income derived from taxation, customs, and other sources, to be appropriated to governmental expenditures. The principal sources of revenue of the United States are customs, internal revenue, sale of public lands, and miscellaneous receipts. Customs receipts have always formed the bulk of the revenue. In 1789 the total revenues of the Government amounted to \$4,410,000. This total gradually swelled to \$56,000,000 in 1860. Then the increased duties of all kinds, imposed as war measures, augmented the revenues to hundreds of millions, reaching the maximum of \$520,000,000 in 1866. Then it declined to an average of about \$350,000,000 between 1878 and 1898. In 1901 the revenue, increased by a Spanish-American War tax was \$587,685,338. Since the war the public revenue has declined slightly, all the war taxes have been removed and the large revenue is due to the prosperous condition of the country. The total receipts for the year 1905 amounted to \$543,423,859.

Revenue, Public (see also Finances; Import Duties; Taxation):

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Designating and limiting funds receivable for, reasons for applying pocket veto to, III, 282.

To provide for collection, safe-keeping, and distribution of, by fiscal corporation vetoed, IV, 68.

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Collection and disbursement of, free from defalcation, discussed, IX, 107, 311.

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Disbursements of, referred to, III, 593.

Discussed. (See Finances discussed.)

Duties for raising. (See Import Duties.)

Embezzlement of, referred to, IV, 359. (See also Defalcation.)

Expenses incurred in collection of, referred to, V, 25.

Frauds in, discussed, II, 423; VIII, 210.

Laws for raising. (See also Import Duties.)

Abuses of, referred to, II, 453.

Alterations in, I, 150.

Codification of, recommended, VII, 247.

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Improvement in, recommended, II, 359, 453.

Judicial construction of, injurious, III, 571.

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South Carolina. (See South Carolina.)

Southern States. (See War between the States.)

Revision of, recommended, VI, 575.

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Only enough should be collected to meet wants of Government, III, 245.

Per centum allowed public officers for disbursement of, referred to, III, 510.

Policy of Mexico in exempting from duty imports into territory on borders of United States. (See *Zona Libre*.)

Referred to, VI, 705.

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Surplus of—

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Educational purposes and internal improvements recommended, I, 409, 456.

Navy and national works recommended, III, 161.

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Apportionment of, among States. (See States of the Union.)

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Cleveland, VIII, 508, 580, 776, 787.

Fillmore, V, 124, 178.

Grant, VII, 31.

Harrison, Benj., IX, 38, 114, 195.

Jackson, II, 451, 514; III, 161, 239.

Jefferson, I, 409, 456.

Pierce, V, 214, 285.

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Joint resolution directing payment of Treasury surplus on public debt, reasons for applying pocket veto to, VIII, 488.

Proposition to deposit in banks throughout country discussed, VIII, 583.

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Changes made in, productive of good results, III, 28.

Evil effects of, discussed, III, 240.

Tariff for raising. (See Import Duties.)

Revised Statutes:

Appointment of commission to prepare, recommended, V, 135, 178.

Preparation of, and recommendations regarding, VI, 49.

Referred to, VIII, 100.

Revolution.—The overthrow of an established political system or a radical change of government effected by extra legal means is known as a political revolution. Among the most important revolutions of modern history are the English Revolution of 1642–1649, which culminated in the execution of Charles I and the establishment of the Protectorate under Cromwell; the second English Revolution, resulting from the Stuart tyranny after the Restoration, known as the "Glorious Revolution of 1688," which, under William

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III, firmly established the principles of free constitutional government in Great Britain; the American Revolution, which resulted in the establishment of the Republic of the United States in 1776; the French Revolution, which broke out in Paris in 1789 and was followed by a reign of blood and terror, terminating with the execution of Robespierre in 1794; the French Revolution of 1830, which exiled Charles X and elevated Louis Philippe to the throne; the uprising of the French people in 1848, which deposed Louis; the Italian Revolution of 1859-60, whereby the various minor sovereigns of the peninsula were driven into exile and the whole territory came under the dominion of King Victor Emmanuel; the insurrections which established the third French Republic in 1870 and the Republic of Brazil in 1889.

Revolutionary Convention. (See Convention, Revolutionary.)

Revolutionary Pensions. (See Pensions.)

Revolutionary War.—The war for redress of grievances, and later for independence, waged by the thirteen American Colonies against the mother country, Great Britain. The Revolution had several causes. Increase of population in America naturally caused a desire for independence, especially after the expulsion of the French. In 1763 the Government of George III resolved to enforce more strictly the navigation act and other laws restricting American trade in the interest of England, to station garrisons in America, and to pay a part of the expense by a stamp tax. The Stamp Act aroused violent opposition, expressed through the Stamp Act Congress of 1765. Taxation without representation in Parliament was declared illegal and tyrannous. The British Government persisted in the principle, taxing various imports from 1767 to 1770 and tea thereafter. The Boston Tea Party led Parliament to pass acts retaliating on that city and altering the charter of Massachusetts. The Colonies were by this time united, through their committees of correspondence, in opposition to the Crown. Sept. 5, 1774, the First Continental Congress was convened in Philadelphia. It published a declaration of rights, protested to the King and Parliament, and entered into a non-importation agreement. Apr. 19, 1775, Gen. Gage, the British commander in Boston, met with the first armed resistance at Lexington and Concord, and war was begun. The colonists were assisted by France, Spain, and, in the later years of the struggle, by the Netherlands. Following are the principal events of the Revolution: Boston Massacre, Mar. 5, 1770; Boston Tea Party, Dec. 16, 1773; First Continental Congress, Sept. 5, 1774; battles of Lexington and Concord, Apr. 19, 1775; meeting of the Second Continental Congress and capture of Ticonderoga, May 10; Mecklenburg Declaration of Independence, May 20; battle of Bunker Hill, June 16 and 17; evacuation of Boston, Mar. 17, 1776; British repulse off Charleston, June 28; Declaration of Independence, July 4; battle of Long Island, Aug. 27; battle of White Plains, Oct. 28; loss of Forts Washington and Lee, retreat through New Jersey, and battle of Trenton, end of 1776; battle of Princeton, Jan. 3, 1777; battle of Bennington, Aug. 16; battle of Brandywine, Sept. 11; battle of Stillwater,

Sept. 19; battle of Germantown, Oct. 4; battle of Saratoga, Oct. 7; Burgoyne's surrender, Oct. 17; adoption of the Articles of Confederation, Nov. 15; treaty with France, Feb. 6, 1778; battle of Monmouth, June 28; storming of Stony Point, July 16, 1779; victory of Paul Jones, Sept. 23; British capture Charleston, May 12, 1780; battle of Camden, Aug. 16; Arnold's treachery exposed, Sept. 23; battle of Kings Mountain, Oct. 7; battle of the Clouds, Jan. 17, 1781; Articles of Confederation ratified by the last of the States, Mar. 1; battle of Guilford Court-House, Mar. 15; battle of Eutaw, Sept. 8; surrender of Cornwallis at Yorktown, Oct. 19; peace of Paris, Sept. 3, 1783; evacuation of New York, Nov. 25, 1783. The United States then comprised the territory from Canada to Florida and from the Atlantic Ocean to the Mississippi River. The total number of enlistments in the American Army during the war was 368,410; the total cost was \$135,193,703.

Revolutionary War:

Allowances to officers in, referred to, II, 340.

Pensioners of. (See Pensions.)

Referred to, V, 222.

Soldiers of, land warrants issued to, II, 323.

Revolutions. (See Illegal Combinations; the several powers.)

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Persons from foreign countries committing depredations in United States, VI, 283.

Willis Anderson, II, 377.

Rey, abduction of, referred to, V, 26.

Reyes, Rafael, correspondence of, concerning Panama, X, 705.

Reynolds, Alexander W., assistant quartermaster, nomination of, and reasons therefor, V, 465.

Reynolds, John C., directed to accompany ex-President Jackson home, III, 323.

Reynolds, John W., act granting pension to, vetoed, VIII, 713.

Reynolds, Thomas C., report of, on commerce of Nicaragua, Honduras, and Salvador, VIII, 531.

Rhea, Hiram R., act to pension, vetoed, IX, 578.

Rhind Charles:

Arabian horses received by, from Turkey, referred to, II, 536.

Treaty with Turkey concluded by, II, 530.

Rhine, The, French steamer, referred to, VI, 259.

Rhode Island.—One of the thirteen original States of the Union and the smallest of the United States; nickname, "Little Rhody;" motto, "Hope." It lies between lat. 41° 18' and 42° 1' north (not including Block Island) and long. 71° 8' and 71° 53' west. It is bounded on the north and east by Massachusetts, on the south by the Atlantic Ocean, and on the west by Connecticut. It is an important manufacturing State, being first in proportion to its population in the manufacture of cotton, woolen, worsted, etc., and second only to Massachusetts in the production of cotton goods. Among its other manufactures are jewelry, machinery, screws, rubber, etc. It was visited by Verrazano in 1524 and probably by Norse navigators in

Rhode Island—Continued.

the twelfth century. Roger Williams made the first permanent settlement at Providence in 1636. The first charter was granted in 1643 and a more liberal one in 1663. Rhode Island ratified the Federal Constitution in 1790. The official name of the State is "The State of Rhode Island, and Providence Plantations." Area, 1,250 sq. miles; population according to State Census of 1905, 485,082. (See also Providence Plantations.)

Rhode Island:

Accession of, to Union, I, 75.
Constitution in, attempts of people to establish free. (See *Dorr's Rebellion*.)
Constitution of United States—
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Lands in, United States empowered to hold, I, 154.

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Rice, Francis W., arrest and imprisonment of, at Acapulco, Mexico, V, 301, 304.

Rice, Henry M., member of Chippewa Commission, IX, 65.

Rice. (See *Agricultural Products*.)

Rich Mountain (W. Va.), Battle of.—Soon after the ordinance of secession had been ratified by the State of Virginia Maj. Gen. George B. McClellan, who had been assigned to the command of the Federal forces in the Department of the Ohio, issued an address to the loyal citizens of western Virginia. Many enlistments from that State followed, and he determined to occupy at least part of it with Federal troops. Accordingly, May 23, 1861, the First Virginia Regiment, 1,100 strong, which had been organized in Cincinnati by Virginians, crossed the Ohio with the Fourteenth and Sixteenth Ohio regiments and took possession of Parkersburg. The Confederates, commanded by Governor Wise under the immediate direction of Col. Porterfield, retired after several skirmishes to the base of Rich Mountain, near Beverly, in Randolph County. McClellan's forces in the neighborhood amounted to more than 30,000 men on July 4, while the Confederates could scarcely muster 10,000. July 11, Gen. Rosecrans made a detour of the mountain and forced the surrender of 600 men under Col. Pegram, and Gen. McClellan defeated the main body of the Confederates under Gen. Garnett. The Union losses in the actions at Rich Mountain were 11 killed and 35 wounded. The loss to the Confederates was 200 killed and 1,000 prisoners. Seven pieces of artillery also fell into the hands of the Union forces.

Richards, Mary K., act granting pension to, vetoed, VIII, 731.

Richards, W. A., mentioned, X, 653.

Richardson, Aurelia C., act for relief of, vetoed, VIII, 484.

Richardson, Israel B., major-general in Army, nomination of, and reasons therefor, VI, 161.

Richardson, James D., resolution authorizing compilation of Messages and Papers of the Presidents by, I, 111.

Richardson, Robert F., mentioned, X, 633.

Richmond, James O., application of, for redress of wrongs, V, 239.

Richmond (Ky.), Battle of.—After the Confederates had evacuated Corinth, Miss., in the summer of 1862, they began to concentrate in the vicinity of Chattanooga, Tenn. By the middle of August they had collected an army estimated at from 55,000 to 65,000 under Gen. Braxton Bragg. Gen. E. Kirby Smith, with about 20,000 men, passed up the Cumberland Mountains on the east and, going through the gaps, invaded Kentucky. At Richmond he encountered Gen. Manson (Aug. 30), who was defending the place with a garrison of Buell's army. Manson was defeated and Smith proceeded to Frankfort. Loss, about 5,000 on each side.

Richmond, Va., Government of Confederate States transferred to, VI, 24.

Riddells, Bennett, consul to Chihuahua, Mexico, nomination of, and reasons therefor, V, 49.

Riddle, William P., act granting pension to, vetoed, VIII, 705.

Riders.—Objectionable legislative measures likely to be vetoed if passed as separate bills, but which are made part of important bills, such as appropriations for current expenses, etc., in order to insure Executive sanction. The rider is an encroachment on the independence of the Executive. In many of the States a rider has been made an impossibility by confining each bill to a single subject or by permitting the veto of single clauses of appropriation bills. It has never been prohibited in Congress. Riders were numerous during the anti-slavery contest, the Civil War, and the conflict with President Johnson. A number of important bills have been passed as riders, among them the bill increasing salaries in 1873. The first use of the rider of national importance was the joining in 1820 of the bill for the admission of Maine to that permitting slavery in Missouri, so as to compel the acceptance of both or neither. These were afterwards separated. The Army appropriation bill of 1856 as sent from the House to the Senate had a rider prohibiting the employment of Federal troops for the enforcement of Territorial law in Kansas. Riders were added to all appropriation bills by the Democratic majority in the House during the first session of the Forty-seventh Congress in 1879; but all these bills were vetoed by the President and were finally passed without riders. The Platt Amendment (see *Cuba*) was a rider to the Army Appropriation Bill of 1901.

Riel, Louis, trial and execution of, by authorities of British North America, report regarding, transmitted, IX, 14.

Rifle Clubs in South Carolina, proclamation against, VII, 396. (See also *Ku-Klux Klans*.)

Rifle, Magazine, for use of infantry service selected, IX, 446.

Right of Asylum discussed by President—
Cleveland, IX, 529.

Johnson, VI, 685.

Right of Search.—Great Britain has always claimed the right to search vessels of other powers upon the high seas for deserting

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English sailors and for contraband goods in time of war. This right has not been exercised with regard to the vessels of the United States since the War of 1812, though nothing was said in the treaty of Ghent about search and impressment of sailors. Before that war this right was exercised and search was made for deserting English sailors, and many American seamen were impressed as deserters from the English navy, and search was made for such goods as were declared subject to confiscation in accordance with the paper blockade of the continent and the orders in council. This was one of the grievances that brought on the War of 1812. The right of search for the purpose of suppressing the slave trade was carefully regulated by several treaties between Great Britain and the United States.

Right of Search:

Discussed by President—

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Madison, I, 499, 520.

Tyler, IV, 77, 195, 229.

Proposition regarding mutual, referred to, V, 90.

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Great Britain, I, 499, 520; IV, 77, 195, 229.

Claim of Great Britain abandoned, V, 507, 640.

Mutual right of search referred to, IV, 90.

Referred to, IV, 436, 447.

Right of Suffrage. (See Elective Franchise.)

Right of Way. (See Indian Reservations.)

Rights, Bill of. (See Bill of Rights.)

Rights of Federal and State Governments. (See Powers of Federal and State Governments.)

Rigny, M. de, correspondence regarding claims against France. (See France, claims against.)

Riley, Bennett:

Correspondence regarding affairs in California referred to, V, 46.

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Riley, Frank B., American sailor, alleged killing of, in Genoa, Italy, IX, 334.

Riley, Patrick, deputy United States marshal, assaulted in Boston, V, 101.

Proclamation regarding, V, 109.

Rio Grande River:

Construction of dams in, opposite El Paso, Tex., referred to, VIII, 815.

Disorders on, discussed by President—

Arthur, VIII, 40, 129.

Buchanan, V, 582, 584.

Fillmore, V, 152.

Grant, VII, 189, 207, 266, 290, 341, 404.

Harrison, Benj., IX, 316.

Hayes, VII, 455, 472, 497, 569, 160.

Neutrality violated by army on, referred to, VI, 376.

Report upon state of, X, 555.

Storage and use of waters of, for irrigation discussed, IX, 527; X, 56.

Riots at Chicago, proclamation regarding, IX, 499.

Rivas, Don Rafael, mentioned, V, 44.

River and Harbor Bills.—There has always been some objection to appropriations for the improvement of rivers and harbors on the ground that the benefits, while mostly local, are paid for out of the general Treas-

ury. The first bill for harbor improvements in the United States was passed Mar. 3, 1823. Since 1854 appropriations for the improvement of rivers and harbors were frequently inserted in the regular appropriation bills. Separate bills for this purpose were vetoed by Presidents Tyler (IV, 330), Polk (IV, 460), Pierce (V, 256), and Grant (VII, 382). In 1870 a \$2,000,000 appropriation was made. This was the largest up to that time. After this they gradually increased until they reached nearly \$19,000,000 in 1882-83. President Arthur vetoed the bill carrying this appropriation (VIII, 120), but it was passed over his veto. Biennial appropriations have since been the rule. The appropriation of 1891 was \$25,000,000. The expenditures of 1896, including the direct appropriations of about \$30,000,000 and the contracts for future expenditures, amounted to a total of about \$80,000,000. The bill carrying this amount was vetoed by President Cleveland (IX, 677) but was passed over his veto. River and harbor bills have since been passed in 1899, 1900, 1902, and 1905.

River Crow Indians, treaty with, VI, 700.

River Raisin (Mich.), Battle of.—After Col. Lewis had occupied Frenchtown, Mich., Jan. 18, 1813, with 650 men, he was reinforced by Gen. Winchester with about 300 from the latter's camp on the Maumee River. These were stationed along the river outside the town. Before daylight on the morning of Jan. 22 they were attacked by 500 British under Col. Proctor and 600 Indians under Round Head and Walk-in-the-Water. Some 200 Americans were killed or wounded in battle or massacred after their surrender and Winchester and 700 men were made prisoners. Only 33 of Winchester's detachment which arrived at Frenchtown are known to have escaped. The British lost 24 killed and 158 wounded.

Rivers and Harbors (see also Internal Improvements):

Act for improvement of—

Reasons for applying pocket veto to, II, 638.

Vetoed by President—

Arthur, VIII, 120.

Discussed by, VIII, 137.

Cleveland, IX, 677.

Polk, IV, 460.

Tyler, IV, 330.

Appropriations for, I, 428.

Bill making, approved and reasons therefor, VII, 377.

Discussed, VII, 408; VIII, 246.

Expenditures of, referred to, VII, 417.

Recommended, V, 20, 130, 175; VII, 39; IX, 42.

Should only be made after surveys, IV, 351.

Breakwater near mouth of Mississippi River referred to, II, 422.

Breakwaters for, referred to, II, 563.

Expenditures for, referred to, VIII, 201.

Discussed, VII, 243.

Foreign powers, if friendly, should be allowed use of, I, 538.

Fortifications for, recommended, I, 240, 307, 330, 454, 459, 470, 492; IV, 202.

Fortifications in, completed, I, 476.

Improvement of, referred to, III, 568.

Opened to vessels of Great Britain, II, 184.

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Survey of, referred to, III, 271.

- Roads, Post.** (See Mail Routes.)
- Roanoke Island (N.C.), Expedition to.**—Butler's Hatteras expedition of Aug. 26, 1861, had opened Pamlico Sound and the Confederates had retired to Roanoke Island. This island is about 10 miles long and was the key to all the rear defenses of Norfolk. Four-fifths of the supplies for Norfolk passed its guns. It was defended by Gen. Wise with 3,000 men. Jan. 7, 1862, Gen. Burnside was ordered to unite with Flag Officer Goldsborough, in command of the fleet at fortress Monroe, capture Newbern, reduce Fort Macon, and seize the Wilmington and Weldon Railroad. On the night of Jan. 11 the expedition arrived off Hatteras and encountered a terrific storm. Several transports were lost and the *City of New York*, with her cargo, worth a quarter of a million dollars, went to pieces. By Feb. 7 the remainder of the expedition had crossed the bar and proceeded up Croatan Channel. The Confederate fleet was driven up the channel. Their flagship—the *Curlew*—was set on fire by a shell, and Burnside landed 10,000 men on Roanoke Island. The garrison of 2,675 officers and men was captured and the Confederate fleet pursued to Elizabeth City and destroyed. Burnside lost 250 men.
- Roanoke Island, N. C.,** thanks of President to forces capturing, VI, 104.
- Robert College,** establishment of, at Constantinople referred to, VI, 702.
- Roberts, Edmund,** treaty with Siam concluded by, III, 53.
- Roberts, Joseph,** first lieutenant, promotion of, to captain discussed, IV, 587.
- Robertson, James,** was nominated; Brigadier-general of militia of Miro District, Ohio, February 22, 1791.
- Commissioner to treat with Indians, I, 435.
- Robertson, John,** commissioner from Virginia to confer with States in effort to prevent war, V, 662.
- Robertson, Thomas J.,** slaughter of American citizens in South Carolina referred to, VII, 375.
- Robeson, John,** act granting pension to, vetoed, VIII, 734.
- Robinson, Benjamin F.,** treaty with Indians concluded by, V, 420.
- Rochambeau, Comte de:**
Compensation prayed for by descendants of, II, 635; III, 51, 54, 129.
Letter of Marquis de Lafayette regarding, transmitted, II, 635.
- Rochambeau, Comte R. de,** mentioned, X, 710.
- Rochester, William B.,** secretary to Congress of Nations, nomination of, II, 320.
- Rock Creek, D. C.,** construction of bridge over, referred to, III, 627.
- Rock Island, Ill.,** bridge over Mississippi River at, VII, 104.
- Rock Island Arsenal, Ill.,** appropriation for, recommended, VIII, 93, 151.
- Rockhill, William W.,** member of board of management of Government exhibit at World's Columbian Exposition, IX, 401.
Mentioned, X, 454.
- Rockwell, Almon F.,** mentioned, VIII, 152, 208.
- Rocky Mount (S. C.), Assault on.**—July 13, 1780, Thomas Sumter, with about 75 men, made an attack upon the British post at Rocky Mount, 30 miles northwest of Camden, under command of Lieut. Col. Turnbull. The post consisted of 2 log houses perforated for small arms. Three unsuccessful assaults were made. The Americans finally withdrew after a loss of 13 men killed and wounded, including Col. Reed. The British loss was about the same.
- Rodgers, John:**
American frigate under command of, attacked by British vessel, I, 492.
Correspondence regarding war with Tripoli, I, 391.
Frigates under command of, referred to, I, 517.
Gallant enterprise of, in destroying corvette on the coast of Tripoli, I, 365.
Report of, regarding docks and wharf referred to, II, 200.
- Rodgers, John:**
Rear-admiral, mentioned, VIII, 79.
Thanks of Congress to, recommended, VI, 191.
- Rodgers, The,** dispatched for relief of Jeanette Polar Expedition, VIII, 139.
- Rodney, Caesar A.:**
Commissioner to South America, II, 48.
Minister to Argentine Republic, death of, II, 252.
- Rodriguez, Marcus E.,** imprisonment of, and others in Cuba, IX, 668.
- Roe, Francis A.,** commander of *Sassacus* in attack upon *Albemarle*, advancement in grade recommended, VI, 210.
- Rogatory, Letters,** report regarding execution of, transmitted, IX, 135.
- Rogers, Benjamin F.,** treaty with Indians concluded, by, II 374.
- Rogers, H. W.,** correspondence regarding Canadian outrages on American frontier, III, 401.
- Rogue River Indians,** treaty with, V, 229, 303.
- Romahn, M.,** act granting pension to, vetoed, VIII, 426.
- Rome, Italy:**
American college at, threatened confiscation of, VIII, 214.
Occupation of, by King of Italy, VII, 131.
Protestants removed from, referred to, VI, 464, 519.
Sanitary conference at, VIII, 333.
Proclamation regarding, VIII, 313.
- Romero, Matias,** Mexican minister to United States, mentioned, VIII, 372.
- Romiser, Joseph,** act granting pension to, vetoed, VIII, 464.
- Roorback.**—A general term for political forgery, or a fictitious report for political purposes, generally promulgated before an election. The name comes from a certain political story circulated in 1844 as an extract from Baron Roorback's Tour Through the Western and Southern States.
- Roosevelt, Theodore** (twenty-seventh President of the United States):
Biographical sketch of, X, 415.
Executive orders of, X, 518-527, 629-636, 796-802.
Inaugural address of:
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- Messages of:**
Annual, X, 417, 527, 636, 802; XI, 1128.
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Proclamations of, X, 462-517, 596-629, 719-796, 859-900; XI, 901-1127.

- Rose, Mr.**, mentioned, I, 445.
- Rosebud Indian Reservation**, opened for settlement, X, 757.
- Rosecrans, William S.**, government employees attend reburial of, X, 524.
- Ross, Daniel H.**, act granting pension to, vetoed, VIII, 474.
- Ross, Daniel H.**, treaty with Indians concluded by, VI, 394.
- Ross, John**, mentioned, IV, 459.
- Ross, John**, trial and conviction of, VIII, 43.
- Ross, William W.**, Indian treaty, V, 61; VI, 155.
- Complaints regarding, VI, 62.
- Rough Riders**, referred to, X, 415.
- Rouland, Alfred**, relief of vetoed, VII, 433.
- Roumania**.—A country in southeastern Europe, bounded on the north and west by Hungary, on the south by Bulgaria, and by Russia and the Black Sea on the east. The plains of Roumania constitute one of the most fertile regions in Europe, and they produce enormous crops of wheat and corn. Stock-raising is a flourishing industry, and salt and petroleum are extensively mined. Cereals and petroleum are the chief articles of export. The government is a constitutional monarchy administered by a king and two chambers. The people are of Latin origin and speak a language strongly resembling Latin; they belong to the Greek Orthodox Church. Only one-half of the Roumanian nation live in Roumania, the rest of the nation being domiciled in Austro-Hungary. In 1829 Turkey conceded to Russia a protectorate over the provinces now forming Roumania; they became independent but tributary to Turkey in 1861, and in 1866 the present king, Carol I, was elected; complete independence was gained as a result of the Russo-Turkish war of 1877-78. Area, 50,720 sq. miles; population (1899), 5,912,520.
- Roumania:**
- Consular convention with, VIII, 35, 40.
 - Referred to, VIII, 170.
 - Diplomatic relations with, VII, 35, 40.
 - Independence of, announced, VII, 610.
 - Persecution of Israelites in, VII, 63, 167, 168.
 - Trade-marks, treaty with, regarding, VIII, 80.
 - Treaty with, VIII, 71.
- Round Island**, assemblage on dispersed, V, 47.
- Round Valley Reservation, Cal.:**
- Allotments of land to Indians on, VIII, 370.
 - Payment for improvements, VIII, 105, 194.
 - Reduction of, discussed, VIII, 593; IX, 59.
- Rouses Point, N. Y.**, mentioned, V, 326.
- Rover, The, crew of**, murdered, VI, 632.
- Rowan, John**, letter of, II, 482.
- Rowan, Stephen O.:**
- Commander in Navy, nomination of, VI, 155.
 - Thanks of Congress to, recommended, VI, 83.
- Rowe, Sarah A.**, pension granted to, X, 850.
- Rowley, Roxana V.**, act granting pension to, vetoed, VIII, 460.
- Ruatan Island**, convention between Great Britain and Honduras regarding, V, 422.
- Ruggles, Samuel B.**, delegate to International Monetary Conference at Paris, report of, transmitted, VII, 59.
- Ruiz, Ricardo**, arrest, imprisonment, and death of, in Cuba, IX, 752.
- Rum, Romanism, and Rebellion**.—At a meeting of clergymen of all denominations held in the Fifth Avenue Hotel, New York, during the Presidential campaign of 1884, Rev. Samuel D. Burchard, in an address favoring the election of the Republican candidate, described the Democrats as the party of Rum, Romanism, and Rebellion. The phrase was immediately taken up and used to alienate many persons otherwise friendly to the Republican party, and as the party in that year suffered defeat by a very small margin many attributed it to the utterance of this alliterative phrase.
- Rush, Richard:**
- Acting Secretary of State, II, 36.
 - Correspondence of, regarding cession of lands for light-houses referred to, II, 276.
- Rush, William Henry**, imprisonment of, in Cuba referred to, IV, 688.
- Rusk, Jeremiah M.**, Secretary of Agriculture, mentioned, IX, 328.
- Russell, John E.**, member of commission to consider construction of canal from Great Lakes to Atlantic Ocean, IX, 747.
- Russell, John H.**, thanks of Congress to, recommended, VI, 76.
- Russell, John M.**, consul to St. Petersburg, nomination of, I, 173.
- Russell, Jonathan:**
- Letter of, regarding treaty of Ghent discussed, II, 138, 142.
 - Minister to Sweden, nomination of, I, 530.
 - Pacific advances made by United States to Great Britain referred to, I, 521.
- Russell, Lord John**, letter of, regarding treaty of Washington referred to, V, 351.
- Russia**.—The largest empire of Europe in population and area and, including its Asiatic possessions, the most extensive dominion in the world next to the British Empire. It comprises European Russia (including Russian Finland and Poland), Caucasia, Russian Central Asia, and Siberia. Russia occupies about one-seventh of the earth's total land surface, and extends from lat. 38° 20' to 77° 30' north and from long. 17° 38' east to 170° west. It has an extreme length from north to south of 2,300 miles and a width from west to east of 6,000 miles. It is bounded on the north by the Arctic Ocean, on the east by the Pacific, on the south by China, Independent Turkestan, Persia, Asiatic Turkey and the Black Sea, and on the west by Roumania, Austria, Germany, the Baltic Sea, and the Scandinavian Peninsula. The surface of European Russia is one vast central plateau, drained by the largest rivers of Europe into the Arctic Ocean and Caspian, Baltic, and Black seas. It contains large forests and extensive fertile steppes, and the chief industry is agriculture, the principal crops being wheat, rye, and other cereals, hemp, flax, potatoes, and tobacco. There are manufactures of linen and woolen goods, Gold, platinum, coal, iron, petroleum, copper, etc., are mined. The government is a hereditary monarchy, vested in the Czar. Russia proper has 78 governments, and administration is committed to the council of the Empire, senate, holy synod, and ministry. The leading religion is the National Orthodox Church, an offshoot of the Greek Orthodox with which it is in full communion. Russia has no foreign possessions. Parts of the country, including Poland, were known to the ancients as Sarmatia, and were inhabited by the Scythians. The Russian Slavs, at the

Russia—Continued.

beginning of their history (ninth century), were confined mostly to the Upper Dnieper, the sources of the Oka, Volga, Dwina, and Dniester. Under Oleg, about 880, Kieff became the center. The Mongol invasion and the conquest of all Russia except Novgorod occurred about 1240. Russia was freed from Mongolian rule in 1480. The title of Czar (or Tsar) was assumed by Ivan IV in 1547. The date of the accession of the house of Romanoff, which still reigns, is 1613. The Empire was largely developed under Peter the Great (1689-1725), and St. Petersburg was built by him. Under his successors the territory of Russia steadily increased. The larger part of Poland was absorbed at its partitions in 1772 and 1793. The Crimea was taken from Turkey in 1780; Finland from Sweden in 1807; and in Asia a constant southward movement has occupied Independent Tartary and the Amur Valley. The attempt to Russianize the added territories, however, has been and is the cause of great disturbance and unrest, notably in Finland and Poland. The educated Russians are dissatisfied at the absolute rule of the Czar and the bureaucracy; while the peasantry, although their condition was somewhat improved by the emancipation of the serfs in (1861) by Alexander II, have suffered in several seasons, notably in 1891, from famine, and are now on the verge of another period of scarcity. Race quarrels, and the defeats of the Russian armies in the Russo-Japanese War (see Japan), have added to the unrest. Strikes and riots in several sections, especially in Poland, St. Petersburg, and the region of the Caspian sea, have emphasized the popular discontent, which has also shown itself by the murder of Russian officials, among them, Bobrikov, Governor-General of Finland (June 15, 1904), Von Plehve, Minister of the Interior (July 29, 1904, and the Grand Duke Serge (Feb. 17, 1905). On February 22, a body of striking workmen, attempting to present a petition to the Emperor, were fired on by the troops and many were killed. On October 30, 1905, the Czar published a decree establishing a form of constitutional government, assuring civil liberty, and the freedom of the press. The disturbed state of the country has seriously retarded the development of the government along the lines prescribed in the Czar's proclamation. Area, 8,660,395, population (1903), 141,000,000.

Russia :

Aid furnished Greeks by. (See Greece.)
 American insurance companies, treatment of, in, discussed, IX, 529.
 Bering Sea fisheries discussed. (See Bering Sea Fisheries.)
 Cession of territory of, to United States. (See Alaska.)
 Claims of, against United States, payment of, recommended, X, 111.
 Claims of United States against, VI, 628; X, 111.
 Coined silver money and products of, referred to, IX, 476.
 Colony from, to emigrate to United States discussed, VII, 253.
 Commercial relations with, II, 251, 505, 550; III, 150, 487.
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and France referred to. (See Mason and Slidell.)
 Consuls of, in United States, authentication of passports to Jews denied by, discussed, IX, 635.
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 Assassination of, resolutions of condolence on, VIII, 39.
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 Accession of, to throne, II, 384.
 Assassination of, attempted, referred to, VI, 455, 460, 471.
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 Intervention of, regarding independence of South American provinces, II, 326.
 Mediation of, for peace between United States and Great Britain offered, I, 526.
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 Declined by Great Britain, I, 534, 547.
 Son of, visits United States, VII, 145.
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 Fugitive criminals, convention with, for surrender of, VIII, 813; IX, 439.
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 Death of, referred to, VIII, 238.
 Title of ambassador conferred upon, X, 110.
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 Neutrality preserved by the United States in war with, VII, 466.
 Neutral rights, treaty with, regarding, V, 244.
 Referred to, V, 276.
 Pacific telegraph referred to, VI, 128, 181, 244, 366.
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 - Cleveland, VIII, 813; IX, 439.
 - Jackson, II, 636; III, 22, 50.
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 - Monroe, II, 251, 280.
 - Pierce, V, 244.
 - Expiration of, referred to and renewal of, recommended, III, 150.
 - Renewal of, declined by Russia, III, 487.
 - Turkey's, with, referred to, II, 445.
 - Vessels of, detained by United States, appropriation for, recommended, X, 111.
 - Vessels of United States seized or interfered with by, VI, 596; X, 111.
 - War with—
 - Great Britain—
 - Attempts of Great Britain to draw recruits from United States discussed, V, 331.
 - Neutrality maintained by United States in, V, 331.
 - Japan, discussed by President Roosevelt, X, 834; XI, 1146, 1159.
 - Neutrality of United States proclaimed, X, 728, 798.
 - Turkey—
 - Discussed by President—
 - Adams, J. Q., II, 407.
 - Hayes, VII, 466.
 - Neutrality preserved by United States in, VII, 466.
 - Threatening aspect of, discussed, II, 193.
 - Treaty of peace referred to, II, 445.
 - Whaling vessels of United States interfered with by, VI, 596.
- Russian America.** (See Alaska.)
- Russian Colony,** desire of representatives of, to emigrate to United States discussed, VII, 253.
- Ryan, Abigail,** act granting pension to, vetoed, VII, 172.
- Ryan, William A. C.,** indemnity paid by Spain on account of execution of, referred to, VII, 456.

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- Saaby, Hans Rudolph,** consul to Copenhagen, Denmark, nomination of, I, 117.
- Sabina, The,** American seamen rescued by, compensation for, requested by owners of, IV, 152.
- Sabine Cross-Roads (La.), Battle of.**—Gen. N. P. Banks's army, which had been concentrated at Alexandria, La., advanced up the Red River Mar. 25, 1864, by way of Natchitoches, Pleasant Hill, and Mansfield, toward Shreveport. Apr. 8, arriving at Sabine Cross-Roads, on the Sabine River, the Federals encountered a part of the Confederate army under Gen. Kirby Smith, commanded by Gen. Richard Taylor. The Confederates attacked and Banks was badly defeated, losing 3,000 in killed, wounded, and missing. The Confederates captured 19 guns and an immense amount of ammunition and stores. The Confeder-
- ate loss was reported by Gen. E. Kirby Smith as over 2,000 killed and wounded.
- Sac and Fox Reservation:**
 Cession of portion of, to United States proclaimed, IX, 156.
 Sale of—
 Bill providing for, referred to, VIII, 374.
 Referred to, VIII, 387.
- Sac Indians.**—A tribe of the Algonquian stock of Indians who formerly lived near the mouth of the Ottawa River and along the Detroit River. They were driven thence by the Iroquois and settled about Green Bay, Wis. They allied themselves with the Fox tribe. About 1765 the Sacs took possession of land on both sides of the Mississippi, which they had conquered from the Illinois. From this time their history is the same as that of the Foxes. By 1810 they had overrun a large territory in Wisconsin, Illinois, Iowa, and Missouri. They aided Pontiac, and during the Revolution supported the English. They fought against the United States in 1812. In 1832 a part of the tribe, led by Black Hawk, rebelled and was defeated and removed to the Indian Territory, where most of the remainder of the two tribes, numbering less than 1,000, still live. The name Sac is a corruption of the Indian word "osagi" meaning "People at the mouth of the river," and refers to their early habitat.
- Sac Indians:**
 Agreement between Cherokee Commission and, IX, 75.
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 Annuities proposed to, I, 375.
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 War with. (See Indian Wars.)
- Sacketts Harbor, N. Y.:**
 Barracks built at, II, 84.
 British attack on, repulsed, I, 539.
- Sacketts Harbor (N. Y.), Attack on.**—May 29, 1813, a British force of 1,000 or 1,200 regulars and a large body of Indians was conveyed from Kingston, Canada, to Sacketts Harbor, N. Y., by a squadron under Sir James Yeo, the whole expedition being under the command of Sir George Prevost, Governor-General of Canada. The Americans, mostly raw militia, were at first forced back, but later rallied and the British were driven to their boats, leaving their dead upon the field.
- Sackman, William,** act granting pension to, vetoed, VIII, 649.
- Sackville, Lord,** British minister, interference of, in political affairs of United States and action of President Cleveland regarding, VIII, 780, 811.
- Sacramento Pass (N. Mex.), Battle of.**—When Gen. Kearny had established the supremacy of the United States authority at Santa Fé he dispatched Col. Doniphan with 800 men to join Wool in an expedition against Chihuahua. Dec. 27, 1846, Doniphan reached El Paso del Norte, a town of about 5,000 inhabitants on the road to Chihuahua, at one of the principal crossings of the Rio Grande. Here he was joined by Wightman's artillery, consisting of 100 men. He then proceeded toward the Sacramento River.

Sacramento Pass (N. Mex.), Battle of—*Continued.*

Where the road to Chihuahua crosses the river the Mexican General Heredia was posted with 1,575 men. Feb. 28, 1847, he was attacked by the Americans and driven from his position with the loss of 110 pieces of artillery. Col. Doniphan and his little army entered the city of Chihuahua Mar. 1 and 2.

Safety—Appliance Law:

Discussed, X, 655, 805.

Judgment of Supreme Court on, XI, 1140.

Position of Government inspectors under, XI, 1140.

Safety Fund.—Owing to the unstable character of the currency issued and the insecurity of deposits of State banks, the New York legislature in 1829, upon the suggestion of Martin Van Buren, passed a law known as the safety-fund act. Under the provisions of this law banks chartered by the State were required to pay into the State treasury a certain percentage of their capital stock to serve as a fund out of which the liabilities of any of them that might fail should be made good. This was the beginning of reform in the banking system. Under this law there were 10 bank failures, resulting in a loss of all their capital, amounting to \$2,500,000, which proved conclusively the inadequacy of the safety fund. In 1838 the free-banking system was adopted.

Sag Harbor, N. Y., survey of, referred to, II, 480.

Saganaw Indians, treaty with, III, 279.

Sagasta, Praxedes Mateo, mentioned, X, 37.

Saginaw, Mich., bill to provide for purchase of site and erection of public building at, returned, IX, 136.

Sa-heh-wamish Indians, treaty with, V, 303.

Sah-ku-méhu Indians, treaty with, V, 379.

Sailors Creek (Va.), Battle of.—After the Confederate defeat at Five Forks and the retreat of Lee's army from Richmond and Petersburg, Lee made his way due west and reached the Danville Railroad at Amelia Court-House on Apr. 4, 1865. Sheridan passed him and reached the railroad at Jetersville 7 miles southwest. Lee, finding retreat cut off in this direction, moved westward toward Farmville. At Sailors Creek, Apr. 6, Custer, joined by Crook and Devin, succeeded in piercing the Confederate column, took 16 guns, 400 wagons, and many prisoners. Ewell's corps and part of Pickett's division were thus cut off. The cavalry detained this force of between 6,000 and 8,000 until, having been surrounded by Wright with the Sixth Corps, Ewell surrendered. Five generals, more than 7,000 prisoners, several hundred wagons, and many guns were taken.

St. Albans, Vt., privileges of other ports granted, by proclamation, VI, 272.

St. Augustine, Fla., harbor of, referred to, II, 477.

St. Bartholomews, unlawful expedition planned in, II, 200.

St. Clair, Arthur, major-general in Army: Misfortune befalling troops of, in his advance against the hostile Indians who were attacking the frontiers of Virginia and Pennsylvania, referred to, I, 113.

St. Clair, Arthur, register of land office, nomination of, and reasons therefor, III, 51.

St. Clair Flats, acts making appropriations for deepening channel over, vetoed, V, 386, 599.

St. Domingo. (See Santo Domingo.)

St. Elizabeth Asylum. (See Government Hospital for Insane.)

St. John Island, treaty concluded with Denmark for cession of, to United States transmitted and discussed, VI, 579, 581, 598, 688.

St. John River, navigation of, referred to, IV, 423; V, 139.

St. Lawrence River, navigation of: Correspondence with Great Britain regarding, II, 394.

Referred to, V, 139.

Right to exclude American citizens from, claim of, by Canada discussed, VII, 104.

St. Louis, The, mentioned, X, 88.

St. Louis, The, refuge given Gen. Miller and Vice-President of Peru by, II, 570.

St. Louis and San Francisco Railway Co., application of, for right of way across Indian Territory, VIII, 66.

Bill granting, referred to, VIII, 68.

St. Louis Harbor, survey of, referred to, IV, 282.

St. Marys Falls Canal, tolls imposed upon vessels passing through, by United States as retaliatory measure proclaimed, IX, 290.

Referred to, IX, 314.

Revoked by proclamation, IX, 377.

St. Marys River:

Act making appropriation for deepening channel over flats of, in the State of Michigan vetoed, V, 387.

St. Paul, The, mentioned, X, 166.

St. Petersburg, Russia:

Fourth International Prison Congress at, discussed and recommendations regarding, VIII, 532.

International Statistical Congress in, VII, 267.

St. Pierre, destruction of city of, X, 457.

St. Regis, Capture of.—At the outbreak of the War of 1812 it was agreed between the British and Americans that the village of St. Regis, on the boundary line between Canada and New York, occupied by Christian Indians, should remain neutral. In violation of this agreement the Canadian commander in chief put a garrison in the place and many of the Indians were induced to join the British army. On the morning of Oct. 22, 1812, Maj. Young with about 200 men, surprised this garrison and took 40 prisoners, some muskets, and a quantity of blankets, after killing 7 men. None of the American force was injured.

St. Regis Indians, treaty with, III, 467.

St. Thomas Island, treaty with Denmark for cession of, to United States transmitted and discussed, VI, 579, 581, 598, 688.

Salaries, Congressional.—Under the Articles of Confederation each State paid its own members of Congress, but the Convention of 1787 made the members independent of the States in this respect. The first clause of Article I, section 6, of the Constitution provides that "the Senators and Representatives shall receive a compensation for their services, to be ascertained by law and paid out of the Treasury of the United States." Members of the First Congress were paid \$6 per day and \$6 for each 20 miles of travel going and coming. The salaries have frequently been changed. From 1789 to 1815 they were \$6 per day; from 1815 to 1817, \$1,500 per year; from 1817 to 1855, \$8 per day; from 1855 to 1865, \$3,000 per year; from

Salaries, Congressional—Continued.

1865 to 1871, \$5,000 per year; from 1871 to 1874, \$7,500 per year, and since 1874, \$5,000 per year. A mileage of 20 cents is allowed. Senators and Representatives have received the same salaries except during 1795, when Senators received \$7 per day. The Speaker of the House receives \$8,000 per year.

Salaries, Executive.—Sept. 24, 1789, Congress fixed the salary of the President of the United States at \$25,000 per annum, at which figure it remained until 1873, when it was increased to \$50,000. The Constitution provides that the salary of the President shall not be diminished during his term of office, and for this reason that part of the "salary-grab" act of 1873 which increased his salary was not repealed in 1874 with the other provisions of that act. The salary of the Vice-President, placed at \$5,000 in 1789, was raised to \$8,000 in 1853, to \$10,000 in 1873, and reduced to \$8,000 in 1874. Of the Cabinet officers the Secretaries of State and the Treasury received in 1789 salaries of \$3,500 each, the Secretary of War \$3,000, the Attorney-General \$1,500, and the Postmaster-General \$2,000. In 1819 the pay of the four Secretaries (State, Treasury, War, and Navy) was made \$6,000, that of the Postmaster-General \$4,000, and that of the Attorney-General \$3,500. Since 1853 all Cabinet officers have received \$8,000, with the exception of the period covered by the law of 1873, when they received \$10,000. Washington at first declined to receive any pecuniary compensation as President. He asked that the estimates for his station be limited to such actual expenditures as the public good might be thought to require (I, 53).

Salaries, Judicial.—In 1789, when the United States courts were organized, the Chief Justice of the Supreme Court was paid \$4,000 and the associate justices \$3,500 each. The district judges received from \$1,000 to \$1,800. These salaries have been increased from time to time. At the present time (1906) the Chief Justice of the Supreme Court receives \$13,000, the associate justices \$12,500, the circuit court judges \$7,000, and the district court judges \$6,000. The Chief Justice of the United States Court of Claims receives \$6,500 and the four associate judges \$6,000 each. The Constitution provides that the salaries of Federal judges may not be diminished during their continuance in office.

Salaries of Public Officers. (see also the several officers):

Commissions claimed by, referred to, III, 513.

Fee system, abolition of, as applicable to certain officials discussed, IX, 729.

Recommended, VIII, 354; IX, 447, 536.

Fixed salaries recommended, III, 168; VIII, 131, 251, 337, 354; IX, 447, 536.

Increase in, recommended, VII, 153.

Mode of paying, referred to, IV, 101.

Recommendations regarding, I, 203, 206; VII, 153.

Referred to, III, 590.

Tariff of fees for clerks, marshals, etc., recommended, V, 130, 178; VIII, 183, 249, 354, 518.

Salary Grab.—A popular name for the act of Mar. 3, 1873, whereby the salaries of the President and Vice-President, members of

Congress, justices of the Supreme Court and other Federal officials were materially increased. The provisions for the increase were introduced by Benjamin F. Butler, of Massachusetts, and made a rider to the appropriation bill. By this law the President's salary was increased from \$25,000 to \$50,000 per year; that of the Chief Justice from \$8,500 to \$10,500; those of the Vice-President, Cabinet officers, associate justices, and Speaker of the House from \$8,000 to \$10,000, and of Senators and Representatives from \$5,000 to \$7,500. Another act, passed the next day, made that part of the law relating to salaries of members of Congress retroactive, thus giving themselves \$7,500 instead of \$5,000 a year from Mar. 4, 1871, to Mar. 4, 1873, and following years. This excited the indignation of the people to such an extent that the laws were repealed the following year, except such provisions as related to the President and justices of the Supreme Court.

Salcedo, Manuel de, governor-general of Louisiana, letter of, to W. C. C. Claiborne, I, 348.

Salinas, Sebastian, mentioned, V, 35.

Salmon, D. E., chief of Bureau of Animal Industry mentioned, IX, 548.

Saloman, Louis E. F., President of Haiti, death of, referred to, VIII, 783.

Salt, duties on, discussed, I, 409; III, 251.

Salt Lake Forest Reserve, proclaimed, X, 776.

Salt Springs:

Cession of, to United States, I, 354.

Referred to, II, 234, 326.

Salt Works in Kentucky, act for relief of owners of, vetoed, VII, 216.

Salter, William D., captain in Navy, nomination of, withdrawn, III, 528.

Salvador.—The smallest but most thickly populated of the Central American Republics. It is often incorrectly referred to as San Salvador, which is the name of its capital. It is bounded on the north and east by Honduras, on the south and southwest by the Pacific Ocean, and on the northwest by Guatemala; the Gulf of Fonseca separates it from Nicaragua on the southeast. The main cordillera of Central America runs along the northern frontier. Parallel to this and about 30 miles farther south another mountain chain crosses from east to west. This is a volcanic range and contains about 30 craters, some of which are active. Between these two mountain ranges is an irregular plateau 2,000 feet in elevation. This is the main settled portion of the Republic. South of the volcanic range a strip of low-land skirts the Pacific coast for 200 miles. Volcanic and seismic disturbances are so common as hardly to be noticed. San Salvador has been destroyed 8 times by earthquakes. Most of the inhabitants are engaged in agriculture, the principal products being coffee, indigo, sugar, rubber, tobacco, and balsam of Peru. There are considerable mineral deposits, but gold and silver only are worked, silver standing fourth on the list of exports. There are practically no manufactures. The government is administered by a President, elected every 4 years, and a Congress consisting of one house, elected annually. Independence was proclaimed in 1821. There have been many

Salvador—Continued.

Wars and revolutions. The present constitution dates from 1886. The area of Salvador is 7,225 sq. miles; population (1901), 1,006,848.

Salvador:

Commercial relations with, IX, 228.
Consular convention with, VII, 116, 258; VIII, 293.
Difficulties of, with Great Britain, V, 107.
Fugitive criminals, convention with, for surrender of, VII, 79, 258, 293.
Questions arising under, discussed, IX, 529.
Insurrection in, and refuge on board American vessel sought by insurgents discussed, IX, 529.
President of, confirmed, IX, 109.
Report of Thomas C. Reynolds on, transmitted, VIII, 531.
Tariff laws of, evidence of modifications of, proclaimed, IX, 249, 365.
Discussed, IX, 312.
Treaty with, transmitted and discussed, V, 34, 158; VI, 79; VII, 79, 116, 258, 293.
Vessel condemned by, subsequently presented to United States, recommendations regarding, VIII, 403.
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Sam-ahmish Indians, treaty with, V, 379.**Samana Bay:**

Convention with Dominican Republic for—
Lease of, VII, 45.
Transfer of, VI, 601.
Possession of, desired by European power, VII, 61.
Proposition of foreign power to purchase right to, referred to, VII, 63.

Samoan Islands.—A group of 14 islands in the South Pacific Ocean. The principal islands are Savaii, Upolu, and Tutuila. The United States has a coaling station in the harbor of Pago-Pago, granted in 1872. The neutrality of the islands was guaranteed by the United States, Great Britain, and Germany in 1889 by treaty. This convention of treaty between the three countries provided for a foreign court of justice, a municipal council for the district of Apia, the chief town, with a foreign president thereof, authorized to advise the King; a tribunal for the settlement of native and foreign land titles, and a revenue system for the Kingdom. In 1899 the kingdom was abolished, and by the Anglo-German agreement of November 14, accepted January 14, 1900, by the United States, Great Britain and Germany renounced in favor of the United States all rights in the Island of Tutuila and others of the Samoan group east of 171° east; the islands to the west of that meridian being assigned to Germany. Area, 1,095 sq. miles; population (1900), 38,412 of whom 32,612 resided upon the German islands.

Samoan Islands:

Affairs of, and policy of United States regarding—
Discussed by President—
Cleveland, VIII, 503, 804, 806, 812; IX, 439, 531, 635.
Harrison, Benj., IX, 34, 110.
McKinley, X, 180.
Reports on, transmitted, VIII, 612, 782, 800, 807, 810, 812; IX, 477, 479, 569.
Application of inhabitants of, for protection of United States, VII, 162, 469; VIII, 504.
Application of Tutuila Island for protec-

tion of United States, and offer of naval station by, VII, 168.

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Spanish fleet attempting to escape from Santiago Harbor destroyed by American squadron under command of, X, 92. (See also Enc. Art., Santiago Harbor, Battle of.)

Thanks of President tendered, X, 236, 348.

San Carlos Reservation, Ariz., coal lands on, referred to, VIII, 96.

San Domingo. (See Santo Domingo.)

San Fernando, The, seizure of, and claims arising out of, VII, 160; VIII, 613; IX, 112, 238, 441, 530.

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San Francisco, Cal.:

Cable communication between Pacific coast and Hawaiian Islands recommended. (See Ocean Cables.)

Presidio of, appropriations for buildings at, recommended, VIII, 207.

San Francisco Bay, Cal., floating dock to be constructed at, V, 133.

San Francisco Mountains Forest Reserve, establishment of, X, 470.

San Gabriel, (Cal.), Battle of.—Dec. 29, 1846, Gen. Kearny with 500 men left San Diego for Los Angeles, 145 miles away. Jan. 8, 1847, Flores, acting governor and captain-general, with 600 men and 4 pieces of artillery, was encountered on the commanding heights of San Gabriel, prepared to dispute the passage of the Rio de los Angeles by the Americans. The baggage train and artillery crossed under a harassing fire and then the enemy was charged, and in 10 minutes Kearny was master of the field. One seaman, acting as an artilleryman, was killed and 1 volunteer and 8 seamen wounded, 2 mortally.

San Isabel Forest Reserve:

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San Jacinto, The:

Collision of, with the *Jules et Marie*, appropriation for owners of latter, recommended, VI, 142.

Removal by, of Confederate envoys from British vessel *Trent*. (See Mason and Sli-dell.)

San Juan (Cuba), Battle of. (See Santiago (Cuba) Battle of.)**San Juan, Cuba,** captured by American troops, X, 92.

San Juan de Fuca Explorations.—Certain explorations on which are based the American claims to possession of territory bordering on the Pacific. The portion of the Pacific coast between the parallels of lat. 40° and 50° north was visited on behalf of Spain in 1592 by a Greek pilot named De Fuca, in 1640 by Admiral Fonte, and subsequently by other explorers, and maps of the coast line had been made. The treaty of 1790 between Spain and Great Britain only gave the latter fishing and trading rights in the vicinity of Puget Sound. The discovery and exploration of Columbia River by Capt. Gray, an American; the purchase from France in 1803 of the Louisiana territory; the exploration of Columbia River by Lewis and Clark, by order of the United States, in 1804-5, and the treaty of limits concluded with Spain in 1819, by which all the territory north of lat. 42° north was expressly declared to belong to the United States, were held to be sufficient proofs of the latter's title to the territory. Great Britain nevertheless claimed a large portion of the region, while the United States claimed the country to lat. 54° 40' north. In 1846 the boundary was settled at the forty-ninth parallel as far as the channel between Vancouver Island and the mainland, and from that point on a line through the middle of that channel and the Strait of Juan de Fuca to the Pacific. (See North-western Boundary.) Navigation of the channel was to be free to both countries. Under this treaty the United States claimed the Canal de Haro as the channel through which the boundary was to run, and Great Britain claimed Rosario Straits. San Juan and other islands were thus in dispute. To avoid conflict, the occupation by both nations of the Island of San Juan at opposite ends was agreed upon. The Emperor of Germany, who was selected as arbitrator of the dispute, decided in favor of the United States in 1872 (VII, 186). (See also "Fifty-four Forty or Fight.")

San Juan Forest Reserve, proclaimed, XI, 981.**San Juan Hill, Battle of,** referred to, X, 415.**San Juan Island:**

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San Juan, Nicaragua:

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San Juan, Puerto Rico, shelled by American fleet, X, 91.**San Juan Question.** (See San Juan de Fuca Explorations.)**San Juan River:**

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San Nicolas Island, referred to, X, 520.**San Salvador.** (See Salvador.)**Sanders, George N.:**

Order exempting, from arrest during journey to Washington, VI, 237.

Reward offered for arrest of, VI, 307.

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Sanders Creek (S. C.), Battle of.—Generally known as the battle of Camden. In the summer of 1780 Gen. Gates had been appointed to the command of the Southern army, and, reinforced by Baron De Kalb, Armand's Legion, Porterfield's Virginia regiment, and Rutherford's North Carolina militia, his force numbered over 4,000 of whom less than 1,000 were regulars. Cornwallis, with about 2,000 British and Tories, of whom 1,500 were regulars, proposed to surprise Gates's army. Gates had determined to surprise Cornwallis. Both advancing, the two armies unexpectedly met at Sanders Creek, near Camden, S. C., on the night of Aug. 16, 1780. After some skirmishing hostilities were suspended until the morning, when, with the first British attack, the Virginia and South Carolina militia fled, after a feeble resistance, due in part to an imprudent order by Gen. Gates. Baron De Kalb bore the brunt of the battle and fell, being wounded 12 times. The American defeat eventually became a rout. Their loss in killed, wounded, and prisoners was upward of 2,000. The British lost 325 men, 68 of whom were killed. Previous to this action Sumter, with about 400 men, captured a British convoy with stores and 200 prisoners, but was himself surprised the next day by Tarleton, who recaptured the stores, killed 100 men, and took 300 prisoners. The British, in the Camden battle, came into possession of 7 pieces of artillery, 2,000 muskets, the entire baggage train, and nearly 1,000 prisoners, including Generals De Kalb, Gregory, and Rutherford. The first named was mortally wounded.

Sands, Joshua R., court-martial of, referred to, II, 323.**Sandusky, Ohio,** British attack on, repulsed, I, 539.**Sandwich Islands.** (See Hawaiian Islands.)**Sandy Bay, Mass.,** harbor of, referred to, II, 477.

Sandy Creek (N. Y.), Battle of.—May 19, 1814, while the British squadron on Lake Ontario was blockading Sacketts Harbor, where Commodore Chauncey was fitting out a squadron for active service, certain heavy guns and cables destined for some of the American ships were yet at Oswego Falls. The blockade preventing their being conveyed by water to the harbor, Capt. Woolsey, commander of the *Oneida*, volunteered to transport them by way of the Big Sandy Creek, partly overland, to their destination. Sir James Yeo, of the blockading squadron, sent

Sandy Creek (N. Y.), Battle of—Continued.

2 gunboats, 3 cutters, and a gig to intercept Woolsey. The latter had detailed 130 riflemen and the same number of Oneida Indians to proceed along the banks of the creek to assist in repelling any possible attack. May 30 the British gunboats sighted Woolsey's flotilla and began firing. Within 10 minutes the British squadron, with officers and men to the number of 170, were prisoners and prizes. Not a single American life was lost. The British loss was 18 killed and 50 wounded. The cannon and cables were safely landed at Sacketts Harbor.

Sandy Hook, N. Y., lands at, vested in United States referred to, I, 75, 88.

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Santa Calatina Forest Reserve, proclaimed, X, 494.

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Grant of land to, X, 726, 738.

Santa Maria, The, presented to United States by Spain discussed and recommendation regarding, IX, 440.

Santa Rita Forest Reserve, proclaimed, X, 468.

Santa Rosa Island (Fla.), Battle of.—Oct. 9, 1861, a force of 1,500 or 2,000 Confederates landed on Santa Rosa Island, Pensacola Harbor, Fla., and surprised the camp of Wilson's Zouaves about a mile from the fort. Maj. Vogdes was sent to the relief of the camp with 2 companies. He was captured, but the assailants retired to their boats under the heavy fire of the regulars after setting fire to the camp. The Federal loss was 60 killed and wounded. The Confederate loss was not reported.

Santa Ynez Forest Reserve, mentioned, X, 722.

Santiago (Cuba), Battle of.—On Monday, June 20, 1898, the American fleet of about 55 ships, including the naval convoy which had left Tampa, Fla., on June 7, came within sight of the town of Daiquiri, about 15 miles east of Santiago, which was the point selected for the landing. The debarkation was attended with serious difficulties, as there was no harbor there. With the aid of the small boats of the fleet and transports the landing was made, but not until after the surf had dashed to pieces several

of the boats. Upon landing at Daiquiri, Gen. Wheeler's command of cavalry was ordered to take position on the road to Siboney. Gen. Young's brigade (about 964 men), during the night of June 23-24, passed Gen. Lawton's division, which was on the road from Siboney to Santiago. About 3 miles from the former place, near Las Guasimas, June 24, they encountered the enemy posted in a strong natural position. The Spanish forces occupied a range of hills in the form of obtuse angles, with the salient toward Siboney. The attack, says Gen. Young, of both wings was simultaneous, and the junction of the two lines occurred near the apex of the angle, on the ridge, which had been fortified with stone breastworks flanked by blockhouses. The Spanish were driven from their position and fled precipitately toward Santiago. The American forces numbered about 965, the Spanish 2,000 to 2,500, American losses, 1 officer and 15 men killed; 6 officers and 46 men wounded. Forty-two dead Spanish soldiers were found on the field, while the Santiago (Spanish) papers the day after the battle gave their loss as 77 killed. Gen. Wheeler says in his report: "This engagement inspired our troops and had a bad effect upon the spirits of the enemy." After this battle the Spaniards retired to the outer defenses of Santiago. These were the village of El Caney to the northeast, and the San Juan Hill extending south from that village and forming a natural barrier to the eastward of the city. July 1 these defenses were attacked by forces under Gen. Lawton, who was expected to take El Caney and then move toward Santiago and support the attack of Wheeler's and Kent's divisions upon the main Spanish army. The battle began at 6 a. m. and soon became general. The enemy fought with much obstinacy, but were slowly driven back. After Lawton had become well engaged, Grimes's battery, from the heights of El Poso, opened fire on the San Juan blockhouses, and Wheeler's and Kent's divisions moved forward, crossed the river, and formed for an attack on San Juan Hill. During this formation Col. Wikoff was killed. The command of the Second Brigade then devolved upon Lieut. Col. Worth, who was soon severely wounded, and then upon Lieut. Col. Liscum, who fell a few minutes later, and Lieut. Col. Ewers took command. The enemy were strongly entrenched upon the hills in front of the American forces, San Juan Hill and Fort San Juan, the latter position being a few hundred yards nearer Santiago. The American forces charged up San Juan Hill in the face of a heavy fire, captured this point, crossed the plain below, and charged Fort San Juan, driving the enemy before them, and the battle of July 1 was won. At midnight of July 1 Gen. Bates arrived with reinforcements, and at daylight on the 2d his brigade was placed on the ridge to the left of the American lines. Gen. Lawton's forces were placed on the right. July 2 a brisk and almost continuous fire was kept up by the two armies throughout the day, part of the time in a drenching rain. At nightfall the firing ceased, but at 9 p. m. a vigorous assault was made all along the lines, which was re-

Santiago (Cuba), Battle of—Continued.

pulsed, the Spaniards retiring to their trenches. The following morning firing was resumed and continued until near noon, when a white flag was displayed by the enemy and the firing ceased. The total losses of the American forces during the 3 days' fighting (July 1, 2, and 3) were: Officers killed, 13; men, 87; officers wounded, 36; men, 561; missing, 62. The entire strength of the command which fought the battle of San Juan was 362 officers and 7,391 men. The defenses of Santiago were constructed with much engineering skill, as were also the batteries in the harbor. The city was at once surrounded by the American army, so that the Spaniards could not escape. The ridge upon which the Americans were stationed was favorably located and overlooked the city. The fortifications and barbed-wire fences could easily be seen.

The Spaniards seemed to realize that their condition was hopeless, and on Sunday morning, July 3, their fleet steamed out of the harbor. The destruction of this fleet was complete. (See Santiago Harbor (Cuba), Battle of.) July 5 the Spanish commander, Gen. Toral, in reply to a demand of Gen. Shafter for the surrender of the Spanish army and of the city, proposed to withdraw all his forces from the eastern province of Santiago, provided it was stipulated that he should not be molested until he had reached the city of Holguin, about 70 miles to the northwest. This proposition was declined at Washington. From the 5th to the 10th the time was divided between flags of truce and some skirmishing along the entire line. The losses, however, were small. On the 13th Gen. Miles, commander of the United States Army, arrived. Generals Miles, Shafter, and Wheeler then had an interview with Gen. Toral on the subject of the surrender. Another interview was had the next day between the same officers. Some misunderstanding occurred at this interview as to terms of surrender, etc., so that other meetings were necessary; but on the 15th the agreement for capitulation was duly signed. On the 16th Gen. Toral informed the American commander that the Spanish Government at Madrid had authorized the surrender, and thereupon final terms of absolute capitulation were duly signed. The conditions of surrender included all forces and war material in the division of Santiago. The United States agreed to transport, without unnecessary delay, all the Spanish troops in the district to Spain. Officers were to retain their side arms and officers and men their personal property. The Spanish commander was authorized to take the military archives of the district. All Spanish forces known as volunteers, *mobilizados*, and *guerrillas* wishing to remain in Cuba were to be allowed to do so, under parole during the war. The Spanish forces were to march out of Santiago with honors of war and deposit their arms at a point to be mutually agreed upon, to await the disposition of the United States Government, etc. The troops surrendered and returned to Spain were about 24,000.

Santiago, Cuba:

American army under Maj. Gen. W. R. Shafter lands near, X, 92.

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Movement against and subsequent capitulation of, discussed, X, 92.

Thanks of President tendered commander and men, X, 349, 352.

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Santiago Harbor (Cuba), Battle of.—This engagement, which is also known as the battle of July 3, was the decisive naval combat of the Spanish-American War. For 6 weeks the Spanish fleet under Rear-Admiral Pascual Cervera had been imprisoned in the harbor of Santiago by the American blockading squadron in command of Acting Rear-Admiral Sampson. On the morning of July 3, 1898, at about 9.30 o'clock, while the men of the American vessels were at Sunday quarters for inspection, the Spanish fleet, consisting of the *Infanta Maria Teresa*, *Vizcaya*, *Cristobal Colon*, *Almirante Oquendo*, *Pluton*, and *Furor*, attempted to escape. The ships, coming out of the harbor at the rate of 8 or 10 knots an hour, passed without difficulty the collier *Merrimac* which had been sunk in the channel by Lieut. Hobson. Signals were at once made from the United States vessels, "Enemy's ships escaping," and general quarters was sounded. Rear-Admiral Sampson being about 7 miles from the scene of battle, the command of the American vessels during the engagement devolved upon Commodore Schley. Under his direction the squadron closed in on the fleeing vessels, and in about 2 hours the entire Spanish fleet was destroyed. The Spanish losses were 600 killed and about 1,400 prisoners, including the admiral. The loss on the American side was 1 killed and 1 wounded, while not a vessel was materially damaged. From this crushing defeat Spain was unable to recover, and her effort upon the ocean ceased.

Santiago Harbor, Cuba:

Forts at mouth of, shelled by American squadron, X, 91.

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Attempting to escape, destroyed by American squadron, X, 92. (See also Enc. Art, Santiago Harbor, Battle of.)

Thanks of President tendered officers and men of American squadron, X, 348.

The *Merrimac* sunk in, by Lieut. Hobson, X, 80, 91.

Naval Cadet Powell to be made ensign for attempting to rescue force of, X, 81.

Thanks of President to Lieut. Hobson and promotion of, recommended, X, 81.

Santo Domingo, or Dominican Republic.—A

Republic occupying the eastern portion of the island of Haiti. It is often called San Domingo and sometimes the Black Republic. The surface is irregularly broken by mountains, and in the center is an extensive elevated plain. The inhabitants are of mixed Spanish, Indian, and negro blood, with some pure Africans. The language is principally Spanish, though French and English are spoken. The principal religion is the Roman Catholic, but other sects are tolerated. The principal industries are agriculture, stock raising, and timber cutting. Sugar, coffee, hides, and fine-grained woods are exported. It was separated from the remainder of Haiti by a revolution which ended with the establishment of the Republic in 1844. Be-

Santo Domingo, or Dominican Republic—*Continued.*

tween 1861 and 1865 it was under the dominion of Spain. The present constitution dates from 1887. Executive authority is vested in a President, who is elected every 4 years, and the Congress is composed of 22 members elected by restricted suffrage. The Republic claims an area of 18,045 sq. miles, and the population is estimated at 610,000. The desirability of a coaling station for United States vessels at Santo Domingo led to a movement in 1869 looking toward the annexation of that Republic to the United States. President Grant sent Gen. Babcock to make an investigation into the condition of the island and the American interests there. Upon his making a favorable report a treaty was concluded Nov. 29, 1869, providing for annexation of the island and the leasing of Samana Bay and peninsula. The Senate rejected the treaty June 30, 1870. Grant persisted in spite of the unpopularity of the scheme and Congress concurred in sending a second commission to examine the matter in 1871. They also reported favorably, but Congress still disapproved of annexation, and President Grant abandoned the enterprise in a special message, Apr. 5, 1871 (VII, 128). In 1904, in consequence of intimations from Germany and Great Britain that they would be compelled to take action unless the just claims of their subjects received some recognition, the United States was compelled to interfere and it was arranged that the customs should be collected by the United States, one-third of the receipts being returned to carry on the Dominican Government and the other two-thirds being devoted to paying off the various creditors of Santo Domingo. This arrangement has worked very satisfactorily, the share received by the Dominican Government amounting to more than was received when the entire customs were collected by native officials.

Santo Domingo:
 Annexation of, to United States—
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Sattler, Catharine, act granting pension to, vetoed, VIII, 547.

Sault Ste. Marie Canal, passage of English or Canadian steamer through, referred to, VII, 60.

Savages Station (Va.), Battle of.—One of the Seven Days' Battles before Richmond. June 29, 1862, Sumner and Heintzelman retired from Fair Oaks and took up a position near Savages Station, on the Richmond and York River Railroad. After destroying the supplies there Heintzelman moved south across the swamp. Magruder, in pursuit, finding Fair Oaks abandoned, advanced to Savages Station and made an attack on Sumner's corps in the afternoon. The latter maintained his ground till dark. During the night he retreated into the White Oak Swamp, leaving 2,500 sick and wounded in the hospital at the station.

Savannah (Ga.), British Occupation of.—Nov. 27, 1778, Commodore Hyde Parker conveyed a fleet of transports to Savannah, which carried about 3,500 British soldiers. The troops landed at Tybee Island, 15 miles from Savannah, and captured the city Dec.

Savannah (Ga.), British Occupation of—
Continued.

29. The American force under Gen. Robert Howe consisted of about 800 Continentals and 400 militia. The British loss was officially reported as 3 killed and 10 wounded. Eighty-three American dead and 11 wounded were found on the field. Some 450 were taken prisoners, while the others retreated up the Savannah River and reached South Carolina. Forty-eight cannon, 23 mortars, 94 barrels of powder, and a large quantity of provisions fell into the hands of the British.

Savannah (Ga.), Fall of. (See Fort McAllister, Ga.)

Savannah (Ga.), Siege of.—In 1779 Washington sent Gen. Lincoln to take command of the army in the South, and requested Count d'Estaing, in command of the French fleet in American waters, to cooperate in an effort to retake Savannah, Ga. Sept. 16, 1779, the latter appeared off Savannah with 33 vessels and 6,000 men. After the capture of 2 frigates and 2 storeships a regular siege was commenced by the allies. The city was defended by a force of about 3,000 British troops under Gen. Prevost. On the morning of Oct. 9, 1779, about 3,500 French and 850 Americans advanced to the attack. The fighting was fierce for nearly an hour, when the assailants gave way after a loss of nearly 1,000 men. Count Pulaski was killed and Count d'Estaing was wounded. The loss to the garrison was only 55 in killed and wounded. Next to Bunker Hill this fight was the bloodiest of the war.

Savannah River, survey of, referred to, II, 565.

Savings Banks. (See Banks, Savings.)

Sawtooth Forest Reserve, proclaimed, XI, 962.

Saxberry, Edson, act for relief of, vetoed, VIII, 707.

Saxony.—A Kingdom of the German Empire, bounded on the north and east by Prussia, on the south by Bohemia, and on the west by Saxe-Altenburg, Saxe-Weimar-Eisenach, and Reuss. It is noted for its rich mines of coal, silver, tin, lead, iron, etc. For its size, Saxony is the busiest industrial State in the German Empire. It manufactures extensively machinery, textiles, tools, porcelain, glass, foundry products, beer and spirits. The government is a hereditary constitutional monarchy, administered by a King, an upper chamber, and a lower chamber of 82 deputies. Saxony sends 4 representatives to the Bundesrat and 23 to the Reichstag. It entered the North German Confederation in 1866 and became a State of the German Empire in 1871. Area, 5,787 sq. miles; population (1900), 4,202,216.

Saxony, convention with, IV, 417.

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Schaumburg, James W., claim of, to be restored to rank in Army referred to, IV, 586; V, 31.

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Major-general, commission of, discussed, VI, 203.

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Santiago Harbor, Cuba, forts at mouth of, shelled by American squadron under, X, 91.

Spanish fleet attempting to escape from Santiago Harbor, Cuba, destroyed by American squadron under direction of. (See Enc. Art., Santiago Harbor, Battle of; also X, 92.)

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Minister to Mexico, mission declined by, and nomination withdrawn, VI, 66.

Mission to San Juan Island discussed, V, 563.

Correspondence regarding, V, 579.

Regulations for Army compiled by, II, 226.

Retirement of, from active service and order of President regarding, VI, 40.

Discussed, VI, 56.

Successor of, appointed, V, 40.

Referred to, V, 56.

Troops under command of, sent to suppress Indians, II, 603.

Victories of, over British troops, I, 548.

Sea Witch, The, wreck of, near Cuba, V, 374.

Seacoast Defenses. (See Defenses, Public.)

Seal Fisheries. (See Alaska, Bering Sea Fisheries, Great Britain, claims against, and Russia, claims against.)

Seal of United States.—Immediately after the declaration of independence a committee was appointed to prepare a device for the great seal of the United States. The committee consisted of Benjamin Franklin, John Adams, and Thomas Jefferson. They reported various devices during several years. William Barton, of Philadelphia, was appointed to submit designs. Sir John Prestwich, an English antiquarian, suggested a design to John Adams in 1779. It was not until June 20, 1782, however, that a seal was adopted. This was by the Congress of the Confederation. It was a combination of the various designs of Barton and Prestwich, and consisted of: Arms—Paleways of 13 pieces argent and gules; a chief azure; the escutcheon on the breast of the American eagle displayed proper, holding in his dexter talon an olive branch and in his sinister a bundle of 13 arrows and in his beak a scroll with the motto *E Pluribus Unum* (out of many, one). Crest—A glory or (gold) breaking through a cloud proper and surrounding 13 stars, forming a constellation *argent* (silver) on an azure field. Reverse—A pyramid unfinished, symbolizing the strength and growth of the States; in the zenith an eye in a triangle surrounded with a glory proper; over the eye, around the rim, the words *Annus coeptis* (God has favored the undertaking); beneath the pyramid MDCCCLXXVI

and the words *Novus ordo seclorum* (a new order of things). This seal has never been changed, and is in charge of the Secretary of State. Accompanying the report, and adopted by Congress, was the following remarks and explanation: "The escutcheon is composed of the chief and pale, the two most honorable ordinaries. The pieces pales represent the several States all joined in one solid compact entire, supporting a chief, which unites the whole and represents Congress. The motto alludes to this union. The pales in the arms are kept closely united by the chief, and the chief depends on that union and the strength resulting from it for its support, to denote the confederacy of the United States of America and the preservation of their union through Congress. The colors of the pales are those used in the flag of the United States of America; white signifies purity and innocence; red, hardness and valor; and blue, the color of the chief, signifies vigilant perseverance and justice. The olive branch and arrows denote the power of peace and war, which is exclusively vested in Congress. The constellation denotes a new State taking its place and rank among other sovereign powers. The escutcheon is borne on the breast of an American eagle without any other supporters, to denote that the United States of America ought to rely on their own virtue. The pyramid on the reverse signifies strength and duration. The eye over it and the motto allude to the many signal interpositions of Providence in favor of the American cause. The date underneath is that of the Declaration of Independence, and the words under it signify the beginning of the new American era which commences from that date."

Seamen, American:

Appropriation for relief of, I, 487.

Captured by Tripolitans, I, 368.

Impressment of, by—

Chile, V, 239.

Great Britain, I, 395, 442, 510; II, 368; IV, 163.

Account of J. B. Cutting for expenditures incurred in liberating, I, 116.

Japan, convention with regarding shipwrecked seamen, VII, 609.

Tripolitans captured by captain and crew of the frigate *Philadelphia*, I, 368.

Maltreatment of, on ships plying between New York and Aspinwall, VI, 212.

Number of, on vessels referred to, I, 386.

Outrages committed upon, by pirates in West Indies and Gulf of Mexico, II, 196.

Pirates, outrages on, II, 196.

Protection for, measure providing, proposed, X, 123.

Relief of—

Agent appointed for, I, 200.

Appropriation for, recommended, I, 487.

Convention with Japan regarding shipwrecked seamen, VII, 609.

Provision for, I, 355.

Recommended, X, 108.

When discharged abroad recommended, I, 343.

Shipment and discharge of, or payment of extra wages to, referred to, VIII, 153.

Seamew, The, satisfaction due for detention of, admitted by Great Britain, IV, 258.

Seaport Towns, protection for. (See Defenses, Public, provision for.)

Search, Right of. (See Right of Search.)**Seat of Government:**

Boundaries of, referred to and proclaimed, I, 94, 200, 202.

Removal of, from Philadelphia to Washington, I, 291, 305, 308, 309, 310.

Seaver, William, proclamation offering reward for murderer of, II, 94.

Seavey, Stephen A., act granting pension to, vetoed, VIII, 599.

Seawell, Washington, major in Army, nomination of, and reasons therefor, IV, 517.

Sebois River referred to, II, 565.

Secession.—The act of going aside or withdrawing, as from a religious or political organization. The word has received worldwide notoriety from its use in connection with the secession of certain of the United States from the Union in 1860 and 1861. After the adoption of the Constitution of 1787 the idea of the sovereignty of the individual States remained familiar to the minds of many Americans. The Federalists of New England made threats of secession in 1811 and 1814, and secession was generally looked upon as an available remedy for Federal aggression. This claim has been advanced, directly or indirectly by many of the States in turn and has on such occasions usually been condemned by the others as treasonable. It was involved in or explicitly put forward by the Kentucky Resolutions, the Hartford Convention, and the South Carolina Nullification Ordinance (q. v.). While Jefferson condemned "scission," some of his writings admitted it to be a remedy of the last resort. As agitation against slavery became more intense secession was looked upon as the right and destiny of the Southern States. South Carolina was ready to secede in 1850. The Nullification Ordinance of 1832 and other measures passed by that State were early steps in that direction. Gen. Jackson, then President, felt that such a power lodged in a State would be fatal to the Union and altogether unconstitutional. His emphatic opposition, as expressed in his military preparations, as well as in his strong message and proclamation on nullification in 1833 (II, 610, 640), checked this feeling for a time, but the postponement to a final test was perhaps chiefly due to the unpopularity of the nullification doctrine among the States-rights people themselves. Another reason why the South Carolina nullification movement was stopped was the adoption by Congress of the Clay-Calhoun compromise tariff bill, which gave satisfaction to the nullifiers and their States-rights friends in the South who did not accept nullification as a rightful or expedient remedy. The secession doctrine was revived on the election of Lincoln in 1860. Many of the Southern people felt that the triumph of the Republican party meant the adoption of a policy of such interference with the institution of slavery as to make it impossible for the Southern States any longer to secure and enjoy their constitutional rights within the Union. Accordingly Dec. 20, 1860, after the election of Lincoln, South Carolina, by convention, passed an ordinance repealing her adoption of the Constitution in 1788 and reviving her independence. Mississippi seceded Jan. 9, 1861; Florida, Jan. 10; Alabama, Jan. 11; Georgia, Jan.

19; Louisiana, Jan. 26; Texas, Feb. 1; Virginia, Apr. 17; Arkansas, May 6; North Carolina, May 20; Tennessee, June 8, all by conventions. Opposition to secession in many States was based rather upon the ground of inexpediency than unconstitutionality. The National Government never recognized the validity of the ordinances of secession adopted by the Southern States.

Secession, right of States regarding, discussed by President—

Buchanan, V, 628, 655.

Lincoln, VI, 5, 20.

Secret Lodges, proclamation against lawless incursions of, on northern frontier, IV, 72.

Secretaries.—By a series of acts passed in the early part of 1781 Congress organized the Government under several Departments, at the head of which were placed secretaries with duties similar to those of the secretaries of the British Government. The Secretary of the Navy was originally the Secretary of the Marine. The Secretary of the Treasury was originally the Superintendent of Finance. Now all the heads of Departments, 9 in number, are denominated secretaries, except the Attorney-General and the Postmaster-General. (See also Cabinet; Presidential Succession, and Administration.)

Secretaries. (See the several Department Secretaries.)

Seddon, James A., secretary of war of Confederate States, mentioned, VI, 599.

Sedition Law.—In 1798 when war between the United States and France was imminent, there were in the United States by estimate 30,000 Frenchmen organized into clubs, and 50,000 sympathizers with France, who had been English subjects. Many of the newspapers of the country at the time were controlled by aliens, mostly French, English, Irish, and Scotch refugees. Those alien residents who sympathized with France—the larger number—attacked the Government fiercely through the press for its attitude toward that country. In order to restrain this feeling, which excited bitter animosity among those Americans who represented the French attitude toward the United States, the Federalists in control of Congress passed the famous alien and sedition acts. The sedition act of July 14, 1798, was modeled on two English acts of 1795. It provided heavy fines and imprisonment for any who should combine or conspire against the operations of the Government, or should write, print, or publish any "false, scandalous, and malicious writings" against it or either House of Congress or the President, with intent to bring contempt upon them or to stir up sedition. This, as well as the alien act, was regarded by the Republican party as unconstitutional and subversive of the liberty of press and speech. They called forth the Virginia and Kentucky resolutions (q. v.). The sedition act expired in 1801. (See also Alien and Sedition Laws.)

Seed Distribution:

Act making special, in draught-stricken counties in Texas vetoed, VIII, 557.

Recommendations regarding, IX, 456, 550, 739.

Seigniorage:

Act for coinage of, vetoed, IX, 483.

Discussed, IX, 443.

Seizures. (See Vessels, United States.)

Selbach, Mary A., act granting pension to, vetoed, VIII, 836.

Selden, Withers & Co., reimbursement of Indians on account of failure of, recommended V, 303.

Selfridge, Thomas O., jr., report of, on condition of Dominican Republic transmitted, VII, 55.

Sells, Elijah, treaty with Indians concluded by, VI, 394.

Seminaries of Learning (see also Education; National University):

Establishment of, discussed and recommended, I, 485; II, 312.

Power to establish should be conferred upon Congress, II, 18.

Seminole Indians.—A tribe of the Muskhogean stock of Indians. The tribal name is translated to mean "renegade" or "separatist," and refers to their having separated from the Creek confederacy during the latter part of the eighteenth and the early part of the nineteenth centuries and settled in Florida. During the War of 1812 the British were materially aided by the Seminoles, and in 1817-18 they made many depredations on the settlements of Georgia and Alabama. By a treaty ratified in 1834 they ceded all their lands in the eastern part of the United States to the General Government and agreed to move to the Indian Territory. Their refusal to comply with the terms of this treaty led to a long and bloody war. (See Seminole Wars.) The number of Seminoles finally removed in 1843 was officially reported as 3,824. They became one of the five civilized nations of the Indian Territory. In 1898, including negroes and adopted whites, they numbered some 3,000.

Seminole Indians:

Authority to use certain funds in purchase of lands for, recommended, VIII, 612.

Court of inquiry held relative to campaign against, III, 292.

Difficulties with Creeks, V, 295, 364.

Lands—

Purchased for, VIII, 199; IX, 15.

Additional proposition regarding, IX, 70.

Purchased from—

Opened to settlement by proclamation, IX, 15.

Title to, discussed, VIII, 266.

To be relinquished by, proposition regarding, VIII, 807, 811.

Cession of, IX, 15, 47.

Removal of, arrangements for, III, 113; V, 45, 171, 184.

Separation of, from Creeks referred to, III, 510.

Setting apart of land for, suggested, III, 510.

Treaty with, II, 220; III, 37; IV, 361; V, 383; VI, 393.

Seminole Wars.—After the War of 1812 the combined British and Indian stronghold known as the Negro Fort, on the Appalachicola River, was a constant menace to the Georgia settlers. During 1817 there were several massacres of whites. Gen. E. P. Gaines was intrusted with the task of subjugating the Indians. He destroyed an Indian village on the refusal of the inhabitants to surrender certain murderers, and the Indians retaliated by waylaying a boat ascending the Appalachicola with supplies for Fort Scott and kill-

ing 34 men and a number of women. Gen. Jackson took the field against the Indians in January, 1818, and in a sharp campaign of 6 months defeated them completely, destroying their villages and driving them from every stronghold. Among the prisoners taken were two English subjects, Arbuthnot and Ambrister, who were charged with inciting the Indians to hostilities. These were tried by court-martial and hanged. Jackson pursued the Indians into Florida, which was then Spanish territory, captured Pensacola and St. Marks, deposed the Spanish government, and set up an American administration. This territory was later returned to Spain, but the outgrowth of the incident was the cession of Florida to the United States in satisfaction of the latter's claims, and the payment to Spain besides of \$5,000,000. The second Seminole war was the most stubborn and bloody of all the Indian wars. It originated in the refusal of part of the tribe to cede their lands to the whites and remove to the Indian Territory. Osceola, one of the chiefs opposed to immigration, was placed in irons by Gen. Thompson, an agent of the United States. Osceola regained his liberty, killed Thompson and others at Fort King, and cut to pieces a body of troops. Operations against Osceola and his warriors were conducted with great severity, but with varying success, under Scott, Call, Jesup, Taylor, and others. The Indians were supposed to be subjugated in 1837, but Osceola fled and renewed the struggle. He was taken by treachery in 1842, and the war ended.

Seminole Wars:

American forces in, and officers commanding discussed, II, 42; III, 253, 616.

Appropriation for suppression of, recommended, III, 254.

Brevet nominations for army officers participating in, IV, 155.

Discussed, II, 31, 42, 48; III, 228, 229, 234, 253, 289, 292, 616; IV, 80, 154, 198; V, 45.

Massacre of Maj. Dade's command, III, 617.

Origin of, referred to, IV, 91.

Spain furnishes aid to Indians in, II, 42.

Termination of, IV, 198.

Troops in, rations furnished, referred to, II, 42.

Senate.—The upper branch of the legislature of the United States. The Senate is composed of 2 Representatives from each State, chosen by the State legislature for a period of 6 years; accordingly the membership has varied in number, from time to time, from 22 members representing 11 States in the First Congress to 90 members representing 45 States in the 59th Congress. Senators must be 30 years of age, residents in the State they represent, and must have been citizens of the United States for at least 9 years; they receive a salary of \$5,000 per annum and a small allowance for stationery and mileage. Should a vacancy occur in the Senate during a recess of the State legislature, the Governor of the State makes a temporary appointment which is valid until the next meeting of the legislature. The Constitution provides that the terms of Senators shall so overlap that one-third of the members retire every 2 years. The presiding officer of the Senate is the Vice-President of the United States who votes only in case of the votes being

Senate—Continued.

equally divided. Besides its legislative functions, the Senate ratifies or rejects all treaties negotiated by the President; confirms or rejects all appointments to the higher federal offices; exercises the functions of a high-court of impeachment; and in case the electors fail to make a choice, elects the Vice-President of the United States from the 2 candidates receiving the largest number of electoral votes. The exercise of these wide powers, given to it by the Constitution, has rendered the Senate more powerful than the House; the reverse being usually the case with upper houses. In the constitution adopted by Virginia in 1776 the name Senate was given to the Virginian upper chamber, but the term was not applied to the upper house of the Federal Congress until August 6, 1787; which up to that time had been known as the "second branch." Since the name has been adopted in the Congress of the United States it has spread to all States whose legislatures are divided into two chambers. The composition of the Senate is due to one of the most important proposals in the constitutional convention at Philadelphia, known as the "Connecticut Compromise" which was brought forward by Oliver Ellsworth and Roger Sherman. This compromise settled the conflicting claims of the large and small States by providing for equal representation of States in the Senate, the House being chosen on a population basis. Of late years the question of an amendment of the Constitution, to permit the election of United States Senators by direct popular vote, has gained considerable ground. Resolutions calling for a Constitutional Convention on this subject have been passed by the legislatures of 14 States and the question has been approved in one or other house in 13 other State legislatures. Several States, chiefly in the South, have already placed the names of candidates for the United States Senate upon the primary ballots, thus leaving to the legislature nothing more than the formal election.

Senate. (See Congress.)

Senatorial Courtesy.—In order that the dignity of the body may be preserved, the Senate gives considerable attention to the personal wishes of its members. In addition to the observance of courteous address, polite language, and the exercise of those acts of kindness which tend to lighten official duties and render social life a pleasure, there is a tacit understanding as to the conventional privileges to be accorded each in the official deliberations. Should the name of any former member of the Senate be presented to that body by the President for their advice as to his appointment to a Federal office, Senatorial courtesy requires immediate confirmation without reference to a committee. The privilege of speaking as long as he may choose on any question before the Senate is a courtesy granted each Senator, and though it is charged that undue advantage has sometimes been taken of this privilege it has never been abridged. There is no previous question provided in the rules of the Senate.

Senators of United States:

Appointments to office, relation of, to. (See Executive Nominations.)

Constitutional amendment regarding election of, recommended, VI, 542, 691.

Loyal Representatives and, denial of seats in Congress to, discussed, VI, 446.

Seneca Indians.—A tribe of the Iroquois confederacy of Indians. The name is foreign to the language of the tribe, and is probably a corruption of a word meaning "red paint." They called themselves by a name meaning "people of the mountain." When first known they occupied lands in western New York between Seneca Lake and Genesee River. They allied themselves with Pontiac, destroyed Venango, attacked Fort Niagara, and cut off an army train near Devils Hole in 1763. They were conspicuous in the wars west of Lake Erie. On the defeat of the Erie and Neuter tribes they took possession of the territory westward to Lake Erie and southward along the Allegheny River into Pennsylvania, receiving by adoption many of the conquered tribes, which act made them the largest tribe of the Iroquois confederacy. They sided with the British in the Revolutionary War, and their territory was devastated by the Americans. Peace was made with them in 1784. In the War of 1812 the tribe divided, those in New York taking part with the Americans and those in Ohio joining the hostile Western tribes. These were removed to the Indian Territory in 1831, the friendly tribes remaining in New York. In 1893 they numbered about 3,000.

Seneca Indians:

Conveyance made by, II, 374.

Memorial from, referred to, IV, 428.

Money held in trust for, II, 456.

Portion of, opposed to treaty of Buffalo, III, 567.

Remonstrance of, against allotment of lands in severalty to, VIII, 81.

Treaty with, I, 211, 259, 347, 554, 569; II, 21, 47; 542, 561, 634; IV, 157; V, 296; VI, 518; VII, 47.

Serbia. (See Servia.)

Sergeant, John, nomination of, as minister to Panama, II, 320.

Serio, Giovanni, death of, X, 549.

Serio, Vincenzo, death of, X, 549.

Sérurier, M., correspondence regarding claims against France. (See France, claims against.)

Servia.—A Kingdom of the Balkan Peninsula, in southeastern Europe. It is bounded on the north by Austria-Hungary (separated by the Save and Danube), on the east by Roumania (separated by the Danube) and Bulgaria, on the south by Turkey and Bosnia, and on the west by Bosnia (separated in part by the Drina). The surface is mountainous. Agriculture is the chief industry. The government is a constitutional hereditary monarchy. The Byzantine governors were expelled and the title of king assumed in the eleventh century. After being twice under Turkish dominion, Servia became practically independent in 1817. By uniting with Russia against Turkey in 1877-78 the territory of the Kingdom was extended. In 1885 Servia invaded Bulgaria, but suffered disastrous defeats, peace was restored, by the intervention of Austria, early in 1886. During recent years, the vagaries of the last kings of the Obrenovich dynasty produced a very unsettled state of affairs, popular discontent finally reached a head when Queen Draga, wife of King Alexander, a woman of low

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origin and loose morals, succeeded in having her brother proclaimed heir to the throne. The king and queen were assassinated on June 11, 1903, and Prince Peter, of the Karageorgevich dynasty, was proclaimed king. It has now an area of 18,630 sq. miles and a population (1900) of 2,493,770.

Servia :

Consular convention with, VIII, 40, 71.

Referred to, VIII, 170.

Diplomatic relations with, referred to, VII, 570; VIII, 131.

Treaty with, VIII, 71.

Servis, David A., act granting pension to, vetoed, VIII, 670.

Sessions of Congress. (See Extraordinary Sessions of Congress.)

Seven Days' Battles.—A series of battles fought in the Peninsular campaign, in the vicinity of Richmond, Va., between the Army of the Potomac, under McClellan, and the Confederate army under Lee. The first conflict occurred on June 25, 1862, and a battle was fought each succeeding day but one to July 1. June 25, McClellan's army before Richmond, numbering 115,102, received orders to advance. Lee's army on both sides of the Chickahominy aggregated 80,835. Hooker advanced beyond Fair Oaks and secured his ground. Meantime the Confederates had placed Richmond in a state of security and determined upon aggressive movements. Lee had succeeded Johnston in command, and it was determined to bring the mass of the army down the Chickahominy and threaten McClellan's communications with the York River. Jackson had moved out of the Shenandoah Valley and was at Hanover Court-House, ready to render what assistance might be required. Some Federal historians say that McClellan determined to change his base of operations to the James River, 17 miles south of Fair Oaks. The writers on the Southern side deny this. The retreat was accomplished with a loss to the Federal army of 15,249 men. The operations of the two armies are described under the headings Mechanicsville, Gaines Mill, Savage's Station, Frayser's Farm, and Malvern Hill. A few weeks later the Federal army was withdrawn from the James and the Peninsular campaign was ended.

Seven Nations. (See Cohnawaga Indians.)

Seven Pines and Fair Oaks (Va.), Battle of.—From Williamsburg to Richmond, Va., the distance is about 50 miles. By May 30, 1862, Casey's and Couch's divisions of Keyes's corps of McClellan's army had crossed the Chickahominy and advanced respectively to Fair Oaks and Seven Pines, 6 and 7 miles, respectively, from Richmond. Heintzelman's corps had also crossed and was encamped several miles to the rear of Couch on the Williamsburg road, and Sumner was ready to make the passage of the stream when a heavy rain, which occurred on the night of May 30, rendered this impracticable. Joseph E. Johnston, who was in command of the Confederate forces, sent Generals Longstreet, Huger, D. H. Hill, and Gustavus W. Smith to attack this advance guard of the invading army. The fighting began at 1 p. m. May 31. The Federals gradually fell back. At 4.30 the arrival of Sedgwick's division of Sumner's corps turned the tide

of battle. At sunset Gen. Johnston was severely wounded by a piece of shell, and the command devolved upon Gen. Smith. In the morning the Confederates renewed the attack. They were finally repulsed about noon. The Confederates lost 4,233. The Federals lost 5,739, of whom 890 were killed. Gen. Lee assumed command of the Confederate army the day following the battle.

Sevier, Ambrose H., commissioner of United States to Mexico:

Illness prevents departure of, IV, 577.

Instructions to, referred to, IV, 687.

President declines to transmit instructions to, to House, IV, 602.

Sevier, John, brigadier-general of militia, was nominated February 22, 1791.

Sevier Forest Reserve, proclaimed, X, 895.

Sewall, Thomas, consul to Santiago, Cuba, nomination of, withdrawn and reasons therefor, V, 46.

Seward, Frederick W., Acting Secretary of State, VI, 708; VII, 448.

Seward, George F.:

Decree prohibiting steamers sailing under American flag from using channel on Yangtze River promulgated by, VI, 698, 704. Minister to China, charges against, referred to, VII, 359.

Instructions to, concerning immigration referred to, VIII, 104.

Seward, William H.:

Correspondence regarding Dorr's Rebellion, IV, 298.

Death of, announced and honors to be paid memory of, VII, 183.

Letters addressed by, to governors of certain States referred to, VIII, 615.

Memory of, death of, and honors to be paid to the, VII, 183.

Report on wounding of, VI, 594.

Secretary of State, VI, 14, 312.

Wounding of, by assassins announced, VI, 284, 285, 286.

Military commission to try persons implicated in, and proceedings of, VI, 334, 335, 336, 342, 347, 348.

Report on, referred to, VI, 594.

Reward offered for alleged instigators of, VI, 307.

Sewells Point, Va., evacuation of batteries on, referred to, VI, 112.

Sexton, Ellen, act granting pension to, vetoed, VIII, 680.

Seyfforth, Caroline, act granting pension to, vetoed, VIII, 705.

Shackerly, Peter, claims of orphan child of, III, 476.

Shadrach Case.—One of many exciting fugitive-slave cases of ante-bellum days. In May, 1850, Frederic Wilkins, a Virginiaslave, made his escape and found his way to Boston, where he obtained employment under the name of Shadrach. Subsequently he was arrested and imprisoned in the United States court-house, pending trial. He was liberated by a body of colored people and assisted to Canada. Intense excitement prevailed in Boston, which spread over the entire country when Congress turned its attention to the infringement of the law. Clay introduced a resolution requesting the

Shadrach Case—Continued.

President to inform Congress of the facts in the case. President Fillmore issued a proclamation (V, 109) announcing the facts and calling upon the people to prevent future disturbances.

Shafter, William R.:

Army under, lands near Santiago, Cuba, X, 92.

Operations of, around and subsequent capitulation of Santiago, Cuba, X, 170.

Thanks of President tendered, X, 349, 352.

Shakespeare, H. O., appointed representative to foreign countries to investigate causes. cure, etc., of cholera, VIII, 317.

Report of, referred to, IX, 130.

Shannon, Thomas, act granting pension to, vetoed, VIII, 690.**Shannon, Wilson,** mentioned, IV, 353.**Sharkey, William L.,** provisional governor of Mississippi, appointed, VI, 314.**Sharp, Solomon,** authority to accept present from British officers referred to, VI, 203.**Sharpe, George H.,** report of, on assassination of President Lincoln and attempted assassination of Secretary Seward transmitted, VI, 594.**Sharpsburg (Md.), Battle of.** (See Antietam (Md.), Battle of.)**Sharreits, Thaddeus S.,** mentioned, X, 518.**Shasta Forest Reserve,** proclaimed, XI, 1112.**Shawane Indians,** treaty with, X, 46.

Shawnee Indians.—A tribe of the Algonquian stock of Indians. From their wanderings and the difficulties of identification their real habitat is uncertain. They seem to have wandered farther south than any other of the Algonquian tribes and to have been driven westward by the Iroquois. The name is translated to mean "Southerners." They were early known in the Cumberland Valley, in Tennessee, and along the Upper Savannah River, in South Carolina. About the middle of the eighteenth century they united in the Ohio Valley and were almost constantly at war with the whites. At first they aided the French, but were won over by the English. The Shawnees joined Pontiac, and from time to time continued hostilities until the peace of 1786. They took part in the Miami uprising, but were reduced by Gen. Wayne and submitted under the treaty of 1795. In 1812, under the leadership of Tecumseh, this tribe joined the English in their war against the Americans. They became scattered, and the Missouri band ceded their lands in 1825, the Ohio band in 1831. The main band ended their tribal relations in Kansas in 1854. They number about 1,500, chiefly in the Indian Territory.

Shawnee Indians:

Distribution of moneys to band of, referred to, VIII, 72.

Lands of, treaty with, for purchase of, III, 580.

Treaty with, I, 363, 390, 460, 554; II, 21, 47, 317, 561, 562, 634; III, 580; V, 242, 296; VI, 201, 381, 518, 519.

Shays's Rebellion.—An insurrection of some people of western Massachusetts against the State government in 1786-87, under the leadership of Daniel Shays. After the close of the Revolution much discontent and actual want prevailed throughout New England, especially in Massachusetts. The annual State tax amounted to \$1,000,000. Riots and

armed mobs were frequent. The chief grievances complained of were that the governor's salary was too high; that the senate was aristocratic; that lawyers' fees were extortionate and the taxes burdensome. The relief demanded was the issue by the State of paper money. This was refused. Shays, at the head of 1,000 armed men, took possession of Worcester Dec. 5, 1786, and prevented the session of the supreme court. The court having adjourned to Springfield, the same men attempted to prevent the session there, but were forestalled by the militia. In January, 1787, three bodies of insurgents, under Shays, Luke Day, and Eli Parsons, marched upon Springfield with the purpose of capturing the Continental arsenal. Shays's army, numbering about 1,000, was attacked by about 4,000 militia under Gen. Benjamin Lincoln, and was put to flight with a loss of 3 killed and 1 wounded. Shays and some of his followers joined Parsons's force, but were dispersed by the militia at Petersham in February, 1787. Shays escaped, but 150 others were captured and their leaders sentenced to death. All, however, were ultimately pardoned on laying down their arms.

Shea, Ellen, act granting pension to, vetoed, VIII, 666.**Sheep Husbandry,** report of Commissioner of Agriculture on, transmitted, VII, 510.**Sheepstealer Indians:**

Agreement with, for sale of lands, VIII, 192.

Treaty with, VI, 700.

Sheffield, Capt., mentioned I, 440.**Shell Castle Island, N. C.,** beacon to be erected on, I, 190.

Shenandoah, The.—Notwithstanding the provisions of the British foreign enlistment act of 1819, which forbids the equipment of any land or naval forces within British dominions to operate against any friendly nation, the *Florida*, *Alabama*, *Georgia*, *Shenandoah*, and other Confederate vessels were allowed to escape in spite of the protest of the United States minister. The *Shenandoah* sailed from London as the *Sea King* Oct. 8, 1864 commanded by Capt. James Iredell Waddell, of the Confederate navy. Making for Madeira, her name was changed to *Shenandoah*. From Madeira she sailed for Melbourne, destroying a number of United States merchant ships on the way. Thence she went to Bering Sea and did great damage to whaling vessels. At the close of the war the *Shenandoah* was surrendered to the British Government, and later turned over to the United States. The depredations of the *Shenandoah* were made a part of the Alabama claims against Great Britain. (See also Alabama Claims.)

Shenandoah, The (see also Alabama Claims):
Judgments rendered by claims commission on claims arising from captures by, referred to, VII, 368.

Reported surrender of, referred to, VI, 377.

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Sherman Act.—A compromise financial measure introduced into Congress by Senator John Sherman, of Ohio, and passed July 14, 1890. It repealed the Bland-Allison Act of 1878 and directed the Secretary of the Treasury to purchase silver bullion to the amount of 4,500,000 ounces per month, at the market rate, issuing Treasury notes in payment therefor. These notes were to be redeemed in coin at the Treasury on demand. The act also directed the coinage each month of 2,000,000 ounces of the bullion into standard silver dollars. The repeal of the Sherman Act was frequently urged. In the summer of 1893 the law was claimed to be a leading cause of the business depression, and President Cleveland summoned Congress to meet in special session Aug. 7. Congress, after a long debate, passed Nov. 1 the Voorhees bill, repealing the silver-purchasing clause of the Sherman Act, but affirming bimetalism as a national policy.

Sherman Act:

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Shilling.—The name of a coin in use in several

European States, varying in its value. The English shilling is one-twentieth of a pound sterling, the Danish copper shilling is one ninety-sixth of a rixdaler, and equal to one-fourth of a penny of English money. The Swedish shilling is twice the value of the Danish. In some parts of Germany the shilling is used as a fractional coin of the value of 1 penny sterling. In America this coin was first issued from the mint at Boston. The first struck were known as the New England shilling, Willow Tree, Oak Tree, and Pine Tree coins. One of the earliest coins used in America was the Bermuda shilling. Lord Baltimore had shillings coined in London for use in Maryland. As money of account the shilling varied greatly in the Colonies.

Shiloh, or Pittsburg Landing (Tenn.), Battle of.—One of the most hotly contested battles of the Civil War. After the first line of Confederate defenses in the West had been broken by Grant, Gen. Beauregard was sent to establish another. He selected the line of the Memphis and Charleston Railroad. The Confederate army to the number of 45,000 was concentrated at Corinth, Miss., under command of Albert Sidney Johnston. Polk, Bragg, Hardee, and Breckenridge were there with their corps, and Van Dorn and Price were on the way from Arkansas with 30,000 more. After taking Fort Donelson, the Federal army under Grant proceeded up the Tennessee River to Pittsburg Landing, a point 219 miles from its mouth, on the west bank, near the intersection of the State lines of Alabama, Mississippi, and Tennessee, and about 20 miles from the Confederate camp at Corinth. Five divisions of Grant's army, under Generals W. T. Sherman, Hurlbut, W. H. L. Wallace, McClelland, and Prentiss, were here encamped, and, including Gen. Lew. Wallace's division, about 7 miles down the river, numbered 40,000 men. Buell's army of 40,000 was expected to reinforce them here, and it was the intention upon his arrival to proceed against Johnston at Corinth. The latter, however, without waiting for his own reinforcements, resolved to attack Grant before the arrival of Buell's forces. Apr. 3, 1862, Johnston marched his army from Corinth and on the 6th attacked the Federal army. After a day's hard fighting Grant's army was driven back from the vicinity of Shiloh Church nearly to the river, a distance of 3 miles. A part of the expected reinforcements arrived just in time to help to check the last charge of the victorious Confederates. The battle was reopened on the morning of the 7th by Buell, who had arrived during the night with 20,000 men. The second day's fighting was as stubborn as the first had been, but the Confederates were outnumbered. At 2 p. m. Beauregard ordered preparations made for the retreat, which by 4 o'clock was under way. He was not pursued. The casualties were: Confederates—killed, 1,728; wounded, 8,012; prisoners, 959; total, 10,699. Federals—killed, 1,735; wounded, 7,882; prisoners, 3,956; total, 13,573. Gen. Albert Sidney Johnston was killed on the first day of the battle and was succeeded by Gen. Beauregard in the command of the Confederate army.

Ship Canals. (See Canals.)

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Shipman, Mrs. G. W., mentioned, X, 796.

Shipping, American. (See Commerce discussed.)

Ships of War. (See Vessels, United States.)

Shire.—A division of the Kingdom of Great Britain, dating back to the time of the Saxon invasion. It is now taken to mean almost the same as county, as most of the English county names terminate in the word shire. The shire has been extended to Scotland and Wales. In 1643 the general court of Massachusetts Bay Colony ordered that the whole Colony, which then included the present State of New Hampshire, be divided into 4 shires—Essex, Middlesex, Suffolk, and Norfolk. The name was used for county in all the Colonies.

S'homamish Indians, treaty with, V, 303.

Shong, Michael, act granting pension to, vetoed, VIII, 825.

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Shoshone Indians.—The most northerly confederation of the Shoshonean stock of Indians. They are sometimes known as Snake Indians. There are some 20 known tribes of Shoshones. The division formerly occupied western Wyoming, part of central and southern Idaho, part of eastern Oregon, western and central Nevada, and a strip of Utah west of the Great Salt Lake. The Snake River Region of Idaho was their principal hunting ground. In 1803 they were on the head waters of the Missouri in western Montana, but they had earlier ranged farther east on the plains, whence they had been driven into the Rocky Mountains. Some of the bands near Great Salt Lake began hostilities in 1849. In 1862 California volunteers nearly exterminated one tribe. Treaties were made with various tribes later. They number some 5,000, of whom nearly 1,000 are at Fort Hall Agency and 350 at Lemhi Agency, Idaho.

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Shufeldt, Robert W.:

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Siam.—A Kingdom in the peninsula of Indo-China, in southeastern Asia. It is bounded on the north by the Shan States, on the east

by the French dependencies Annam, Tongking, etc., on the south by the Gulf of Siam, and on the west by Burma. The chief products are rice, teak, and other cabinet woods, rubies, sapphires, and pepper. The government is vested in the King and a council of ministers. The religion is mainly Buddhism. Area, about 244,000 sq. miles; population, about 5,000,000.

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Siberia, survivors of *Jeannette* expedition aided by people of. (See *Jeannette* Polar Expedition.)

Sibley, George C., treaty with Indians concluded by, II, 323.

Sibley, Henry H., mentioned, VI, 145.

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Sieyès, Emmanue. Joseph, letter of, on death of Benjamin Franklin, I, 95.

Signal Service:

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Separate organization of, recommended, VIII, 50, 349.

Services of, in Spanish-American War discussed, X, 89.

Silkworms, memorial from Count de Bronno Bronski regarding introduction of, into United States, V, 46.

Silver.—One of the precious metals and the one most in use during historic times, both in the arts and as a medium of exchange. In the earliest ages, even before there was a record, as in prehistoric Greece and Italy,

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silver mines were worked, and the refined metal obtained from the ores was employed in ornamental and useful arts. It was not so early used as a money metal, and when finally its use as such was begun it was made into bars or rings and sold by weight. Shekels, or pieces of silver, are alluded to in the book of Genesis. Abraham, in the land of Canaan, bought a field for sepulture and paid for it in silver. But the best authorities state that the first regular coinage of either gold or silver was in Asia Minor, in Phrygia or Lydia. The Egyptians did not have coins in the earliest times, although otherwise their civilization was advanced. In ancient times silver was plentiful in Spain. Hannibal, it is stated, obtained 300 pounds per day from the mines there during the Carthaginian occupation of that country. At a much earlier day the Athenians had valuable silver mines at Laurium, in the territory of Attica. Silver, as well as gold, was employed in the erection of Solomon's Temple at Jerusalem. Silver drinking cups and silver ornaments on horn or ivory drinking cups were in use among the Vikings. In fact, all the civilized and semicivilized nations and tribes of antiquity made free use of this metal. It was more common even then than gold, and therefore less precious. At a later period the Incas in Peru, the Toltecs and Aztecas in Mexico, and the Mayas in Yucatan employed it for ornamental purposes and for objects of utility, both in their temples and palaces. Among modern civilized and enlightened peoples its use is so common as to require no special remark. The metal itself is found in almost every part of the globe, usually in combination with other metals. Take the whole historical period and it is found that the South American mines are the richest. Mulhall is authority for the statement that Mexico has produced more silver since 1523 than any other country within the last 500 years. He values the total output there for the period at \$3,050,000,000. Mexico has also the largest annual output, producing 60,808,978 oz. fine, valued at \$35,269,200; the United States follows next with 57,682,800 oz. fine worth \$33,456,000. Large masses have been found in nuggets, as one of 370 pounds at La Paz, Bolivia, in 1749; another of 560 pounds at Konigsberg, Norway, and still another of 800 pounds at Huantaya, Peru. Sonora, Mexico, however, claims to have extracted a huge lump of silver weighing 2,700 pounds. The ratio of silver to gold has varied greatly. 1000 B. C. it was 12 to 1, if the best figures obtainable are to be relied upon. At the Christian era it was 9 to 1. 500 A.D., just 24 years after the downfall of the Western Empire of Rome, the ratio was 18 to 1, but in 1100 A. D. it had fallen to 8 to 1. At the close of the seventeenth century it was 10 to 1, and at the end of the last century 15 to 1. In 1850 the ratio was 15.4 to 1; in 1879, 18.40 to 1; in 1893, 26.49, the present ratio (1906) being 35.70. The subject has entered into American politics, the Democratic party in 1896 having declared for the free coinage of the metals at the former ratio of 16 to 1. The French ratio was at 15½ to 1. The repeal in 1873 of the law providing for the free and unlimited coinage of silver was the begin-

ning of an agitation for the restoration of bimetalism, which has continued until the present day. (See also Bland-Allison Act; Coinage Laws; Sherman Act.)

Silver. (See Gold and Silver.)**Silver Certificates:**

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Simpson, Edward, member of Gun Foundry Board, VIII, 161.

Simpson, Slingsby, vessel under, ordered from and forbidden to reenter waters of United States, I, 403.

Single Standard. (See Monoimetalism.)

Singletery, G. E., dismissal of, from volunteer regiment referred to, IV, 605.

Sinking Fund.—An account or fund set aside for the payment of a debt or obligation. It is formed by successively appropriating or setting aside sums for the designated purpose. Alexander Hamilton made an unsuccessful attempt under the Confederation to establish a sinking fund for the liquidation of the national debt. The first national sinking fund in this country was created by act of Congress Aug. 2, 1790. The present sinking fund to retire the national debt was established by an act of Feb. 25, 1862, and amended by later acts. It sets apart annually a special fund for the payment of interest on and for the purchase of a given per cent. of the national debt. Bonds so redeemed are to be canceled and deducted from the outstanding indebtedness of the Government. In addition there is to be purchased annually an amount of Government bonds equal to the annual interest on bonds previously bought for the sinking fund. The sinking fund is thus, as far as interest is concerned, in the position of any other holder of the Government's obligations receiving interest on the bonds that have been purchased for its account, except that the bonds belonging to it have been canceled and the debt is considered reduced by that amount. An act of Apr. 17, 1876, provides that fractional currency, redeemed by the Treasury shall constitute a part of the sinking fund.

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Sioux, or Dakota, Indians.—The principal division of the Siouan stock of Indians. The name is translated to mean "The snakelike ones." The early habitat of the Siouan family included parts of British America and the following States and Territories: Montana, Wyoming, the Dakotas, Minnesota, Iowa, Wisconsin, Nebraska, Kansas, Missouri, Oklahoma, Indian Territory, Mississippi, Kentucky, the Carolinas, and Virginia. The Dakotas, generally known as the Sioux, have always been the most warlike of the stock. They have

Sioux, or Dakota Indians—Continued.

been hostile not only to whites and to Indians of other stocks, but also to tribes of their own stock. The principal divisions of the family are the Dakota, Dhegiha, Tciwere, Winnebago, Mandan, Hidatsa, Tutelo, Biloxi, and Kataba. The present number of the Siouan stock is nearly 45,000, about 2,000 of whom are in British America. The Sioux proper, or Dakotas, are divided into 7 council fires, and they are sometimes known by an Indian name signifying that fact. They aided the English in 1812. In 1837 they ceded all their lands east of the Mississippi to the Government and in 1851 made further grants. In 1854 they engaged in war against the whites, but were subjugated in 1855. In 1862 a general Sioux uprising occurred, in which many whites and Indians were killed. They were defeated and scattered by Government troops, and a treaty was made with them by Gen. Sherman in 1868. Nevertheless, Sitting Bull and some of the other chieftains were unreconciled. June 25, 1876, Gen. Custer and 276 men were surprised by a force of 9,000 Sioux on the Little Big Horn River, Montana, and massacred. (See also Custer Massacre.)

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- Pursuit of hostile bands of, into Hudsons Bay territories referred to, VI, 198.
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- Sioux expedition referred to, V, 379.
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Sitting Bull:

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Swewright, Bacon & Co., compensation to, X, 552, 711.

Six Nations of Indians.—A confederation of the Indian tribes of the Huron-Iroquois family. They originally occupied the territory now included in New York State and southern Canada. The five original nations were the Mohawks, Senecas, Cayugas, Oneidas, and Onondagas. In 1712 the Tuscaroras, a branch of the Iroquois living in North Carolina, returned northward after their defeat by the white colonists, and joined their kindred. The confederation then became known as the Six Nations.

Six Nations of Indians:

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- Sk-tahl-mish Indians**, treaty with, V, 379.
- Slacum, George W.**, report of, relating to African slave trade transmitted, IV, 418.
- Slaughter, William B.**, mentioned III, 51.

Slaughterhouse Cases.—A series of 5 cases bearing upon the creation of monopolies or trusts and defining the scope of the fourteenth amendment. The Crescent City Live Stock, Landing and Slaughterhouse Co. was incorporated by the Louisiana legislature Mar. 8, 1869. The Butchers' Benevolent Association protested against this act of the legislature on the ground that it created a monopoly. Suit was brought against the State by Paul Esteben and others on the ground that their business was injured. It was claimed by the plaintiffs that the creation of a monopoly of this sort by the State legislature was in violation of the fourteenth amendment to the Constitution which prohibits State legislatures from enforcing laws "which shall abridge the privileges or immunities of the citizens of the United States." The supreme court of Louisiana decided that the law did not conflict with the amendment to the Constitution. The Supreme Court of the United States, Apr. 14, 1873, and Jan. 24, 1887, affirmed the decision. In these celebrated cases the Supreme Court likewise decided that the fundamental character of the Government had not been changed in any way by the Civil War. The judgment of the supreme court of Louisiana was not entirely affirmed in the

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last case mentioned—that of the Crescent Live Stock Co. *vs.* Butchers' Union. That part which constituted a judgment against the Crescent City Live Stock, Landing and Slaughterhouse Co. solely, for damages for the malicious prosecution, was reversed and the case remanded for further proceedings. In that case Justice Matthews delivered the opinion, and there was no dissenting opinion. In the other cases Justice Miller rendered the court's judgment. Justice Field, for himself and Justices Swayne and Bradley, delivered a dissenting opinion.

Slave Representation.—One of the most difficult problems encountered by the framers of the Constitution was the representation to be accorded in Congress to those portions of the country whose population consisted partly of slaves. It was contended, on the one hand, that, being persons, they should be represented, and, on the other hand, that, being property, they should be made the object of taxation. A compromise was finally reached providing that for purposes of reckoning a State's proportion of Representatives, as well as its direct taxes, its population should be "determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons"—i. e., slaves. This method of computing population was first suggested in 1783 by the Continental Congress as a basis for the apportionment of contributions from the States, to be agreed upon as an amendment to the Articles of Confederation. It remained in force until the abolition of slavery.

Slave Trade. (See African Slave Trade.)

Slavery.—A slave is defined as a person who is the chattel or property of another and is wholly subject to his will. Slavery probably originated at an early period of the world's history in the accident of capture in war. It existed in all the ancient Oriental nations of which we have any record. In the Homeric poems it was the ordinary destiny of prisoners of war. The prevalence of Christianity tended to ameliorate the condition of the slave. Laws respecting the sale of slaves in England were made by Alfred the Great. The English peasantry were commonly sold for slaves in Saxon and Norman times; children were sold in Bristol market like cattle for exportation, many being sent to Ireland and Scotland. In 1574 Queen Elizabeth ordered her bondsmen in the western counties made free at easy rates, and in 1660 serfdom was finally extinguished in England. By the decision of Lord Mansfield, of the court of King's bench, in the *Sommersett* case (q. v.) slavery was declared illegal in England. In Scotland bondage to the soil was not gotten rid of until the close of the last century. Parliament abolished trade in negro slaves in 1807, and in 1833 an act was passed abolishing slavery throughout the British colonies. In pursuance of this act 770,280 negroes became free Aug. 1, 1834. About the time of the American Revolution societies of prominent men were formed for the purpose of ameliorating the condition of the negro slaves. Pennsylvania was the first State to organize such a society, in 1787, with Benjamin Franklin as president. New York followed

with a similar society, John Jay as its first president and Alexander Hamilton as its second. Immediately after came Rhode Island and Maryland, in 1789, with such members as Samuel Chase and Luther Martin; Delaware, with James A. Bayard and C. A. Rodney; Connecticut, in 1790; Virginia, 1791, and New Jersey in 1792. The most that was accomplished by these societies was the suppression of the slave trade in 1808. Pennsylvania provided for the gradual emancipation of her slaves in 1780; Massachusetts, by a bill of rights prefixed to her constitution, the same year; New Hampshire, by her constitution, and Connecticut and Rhode Island by enactment, in 1784; Vermont, by her constitution, and New York and New Jersey by gradual abolition, the former in 1799 and the latter in 1804. In 1817 New York enacted further legislation, decreeing total abolition on July 4, 1827. By this law 10,000 slaves were freed. Following are some of the important steps leading to the Civil War in America, by which the institution of slavery was finally abolished: Passage of the ordinance for the government of the territory northwest of the Ohio containing the unalterable article forbidding slavery, 1787; Quakers present a petition to Congress praying for the abolition of slavery, 1794; important debate in Congress on the abolition of the slave trade, 1806; slave trade abolished, 1808; American Colonization Society organized at Washington to aid emigration to Africa, 1816; Missouri Compromise passed by Congress, 1820; antislavery societies organized in New York and Pennsylvania, 1833; passage of fugitive-slave law and compromise measures, 1850; negroes seized at Boston under fugitive-slave law, 1851; passage of Kansas-Nebraska bill, 1854; repealing of the Missouri Compromise; Kansas war, 1854; Dred Scott decision, 1857; John Brown's insurrection, 1859; election of Lincoln to the Presidency, 1860; secession of South Carolina, December, 1860, followed by other States in 1861; President Lincoln proclaims the abolition of slavery in all parts of the country in rebellion, Jan. 1, 1863 (VI, 157); submission of the Southern armies in April, 1865, and official announcement of the final abolition of slavery Dec. 18, 1865.

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Smith, William S., district supervisor, nomination of, I, 99.
Smithson, James. (See Smithsonian Institution.)
Smithsonian Institution.—James Smithson, F. R. S., a natural son of the first Duke of Northumberland, and an eminent English chemist and mineralogist, died in 1829. He bequeathed £105,000 to the Government of the United States in trust to "found at Washington an establishment, under the name of the Smithsonian Institution, for the increase and diffusion of knowledge among men." This bequest became operative in 1835. In 1838 the United States Government received from the court of chancery of Great Britain \$515,169, which was increased by investment to \$703,000. After the discussion of numerous plans, Congress in 1846 created the present establishment. The Institution has devoted itself to the two lines of work marked out in the terms of the bequest—the prosecution of original research and the publication and distribution of memoirs on subjects relating to science. During its existence it has originated many important scientific undertakings, which have later been taken up by the Government and prosecuted on broader lines under the control of special bureaus, some under the direction of the Institution, others independently. Out of its meteorological service the Weather Bureau has grown; in connection with its work in ichthyology the Fish Commission was established. Under the direction of the Institution are the National Museum, which is the legal custodian of all government collections, the Bureau of International Exchanges, the Bureau of American Ethnology, the Astro-Physical Observatory, and the Zoological Park. The Institution maintains a table at the biological station at Naples, Italy, to which it sends students to conduct investigations. From time to time the Institution sends scientific expeditions, the most recent being those to Alaska to discover remains of mammoths and other large mammals, and to British Colum

Smithsonian Institution—Continued.

bia to investigate and explore the glaciers there situated. The Institution has a library of 250,000 volumes. The direction of the affairs of the Institution is vested in a Board of Regents, consisting of the Chief Justice, the Vice-President, 3 Senators, 3 Representatives, and 6 other citizens, 2 of whom shall reside in Washington. The President of the United States and his Cabinet are members of the Institution. The Secretary is elected by the Board of Regents. Joseph Henry, the first Secretary, served from the founding of the Institution, in 1846, till his death in 1878; he was succeeded by Spencer F. Baird, and upon the latter's death in 1887, Samuel P. Langley was placed in charge of the work. The Institution is located in Washington City and occupies an ornate building of Seneca brown stone, situated in a prominent place in the Mall, which extends from the Capitol to the Washington Monument. In 1904, the remains of James Smithson, who, so far as it is known, had never visited this country, were brought from Geneva to Washington and placed in the Institution.

Smithsonian Institution :

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Organization of, recommended, V, 218.

Request of regents of, for appropriation for National Museum commended, VII, 479, 506.

Smoke Abatement Exhibition at London referred to, VIII, 108.

Smuggling.—In the United States the offense of smuggling is defined as "the act, with intent to defraud, of bringing into the United States, or, with like intent, attempting to bring into the United States, dutiable articles without passing the same, or the package containing the same, through the custom-house or submitting them to the officers of the revenue for examination." The penalties which may be enforced are a fine of not less than \$50 nor more than \$5,000, or imprisonment for not more than 2 years, or both, seizure and condemnation of the vessel or vehicle used, and various other special penalties. The British navigation laws of the latter part of the seventeenth and the first half of the eighteenth centuries induced bold and extensive smuggling into the Colonies. Merchants and prominent public men otherwise respectable felt no hesitation about cheating the revenue by illicit trade with pirates and West Indian merchants. New York was the principal port for smugglers, though Boston, Philadelphia, and Charleston were also enriched by smuggled goods. This led the British Government to enforce the acts of trade which did much to precipitate the Revolution.

Smuggling :

Pernicious practice of, should be prevented, II, 75.

Practice of, criminal in free governments, I, 495.

Snake Indians, treaty with, VI, 381.

Sno-ho-mish Indians, treaty with, V, 379.

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Socialist Party.—This party was organized as the Social Democracy in 1897 by Eugene V. Debs, at Chicago. In 1898, the party's candidate polled, chiefly in Massachusetts, 9,545 votes. In 1900 Eugene V. Debs was the party's candidate for President and Job H. Harriman for Vice-President. The platform advocated state ownership of all means of production and distribution, with the public ownership of railways, mines, etc., also the initiative and referendum, and public work for unemployed. In that year the party vote was 84,003, many additions to the party being received from the Socialist Labor party (q. v.). In 1901 at the Indianapolis convention the party formally united with the seceders from the Socialist Labor party, and took the name of Socialist party, except in some States, particularly New York and Wisconsin, on account of certain provisions in the election laws of those States. In 1902 the party vote was 229,762. In 1904 Eugene V. Debs and Benjamin Hanford were the Presidential and Vice-Presidential candidates, and received 406,442 votes. The Socialist party has at times elected local officers in several States, and at one time had representatives in the Massachusetts Legislature.

The Socialist Labor Party.—This party took its name at a convention held at Newark, N. J., in 1877. In 1883 a congress of Socialists met at Baltimore, Maryland, and organized a national party, but the growth of the organization was greatly retarded by the anarchistic outbreak in Chicago in 1886. The party was reorganized in 1889, formally assuming the name Socialist Labor party, and their first national convention was held in New York City, August 28, 1892. Simon Wing, of Massachusetts, was nominated for President, and Charles H. Matchett, of New York, for Vice-President. The platform advocated public ownership of all railroads, telegraphs, and other public utilities, the initiative and referendum, the recall of representatives, and the abolition of the Presidency, Vice-Presidency and Senate. In that year the party polled 21,532 votes. In 1896, Charles H. Matchett was the candidate for President and Matthew Maguire for Vice-President. The platform advocated state ownership of all means of production. The vote in this year was 36,274. In 1898 the party in 18 states cast 82,204 votes. 1899 the Socialist Labor party split, many of its members going to the Social Democratic party or Social Democracy (now the Socialist party). The Socialist Labor party has since been on the decline. In 1900, Joseph F. Malloney, its candidate for President, and Valentine Rimmel for Vice-President, polled 39,537 votes. In 1902, in State and Congressional elections the party cast 53,763 votes. In 1904, Charles H. Corrigan, its candidate for President, and William W. Cox for Vice-President, polled 28,943 votes.

Society of American Florists, act incorporated, vetoed, IX, 578.

Society of Army of the Cumberland, statue of Gen. Garfield to be erected in Washington by, VIII, 208.

Unveiling ceremonies, order regarding, VIII, 577.

Society of Friends:

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Society of the Cincinnati. (See Cincinnati, Society of the.)**Soldiers' Home:**

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Solicitor of the Treasury, office of, established, II, 527.

Operations of, referred to, IV, 689.

Somerlat, Maria, act granting pension to, vetoed, IX, 754.

Sommersett Case.—A negro slave named Sommersett accompanied his master from Boston to London in October, 1769. He became ill and was turned adrift by his master. His condition aroused the compassion of Granville Sharp, who cared for him until he was restored to health. He was then claimed by his master and taken before Lord Mansfield, of the court of King's bench. Here he was discharged on the ground that in England slavery could exist only by positive law, and in the absence of such a law a person could not be deprived of liberty on the ground that he was a slave. This decision determined the future course of England in the delivery of fugitives.

Sons of American Revolution.—A patriotic society composed of lineal descendants of soldiers, sailors, and conspicuous patriots of Revolutionary times. The society was organized in California July 4, 1875. Another society of the same name was organized in New York in 1889 and quickly outrivalled the older society; attempts to unite the two were made unsuccessfully in 1892 and 1897. The Eastern Society has 38 branches in the States and branches in the District of Columbia and Hawaii.

Sons of Liberty.—A society organized by the younger and more ardent patriots of Connecticut in 1755, to advance colonial liberty. They advocated nonimportation, aided in the hanging in effigy of the stamp distributor Oliver in 1765, and in 1774 proposed the organization of a continental congress. The appellation is sometimes applied to the whole body of American patriots. Another organization calling themselves "Sons of Liberty" existed in 1862-1864 in Indiana and other States and actively opposed the efforts of the United States Government in the prosecution of the war for the preservation of the Union, and several leaders were tried and condemned by a military commission. (See also Milligan Case.)

Sons of the Revolution.—A society of the same nature as the Sons of the American Revolution. It was established in New York in 1875, and has now 31 State branches. The principal point of difference between the Sons of the Revolution and the Sons of the American Revolution is the matter of eligibility, which in both is dependent on hereditary descent. In the latter society membership is contingent upon lineal descent from patriots of the Revolution, while in the former it is extended to collaterals.

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South America (see also South American Provinces, South American Republics; the several States):

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Emperor of Russia intervenes for recognition of, II, 326.

Not recognized until danger of subjugation has passed, III, 267.

Should be recognized by United States, II, 116.

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South American Republics, Recognition of.

—In 1817 Henry Clay endeavored to secure an appropriation from Congress for sending an accredited minister to Buenos Ayres, which had become a free and independent Republic. Congress, however, refused. Mar. 8, 1822, President Monroe in a special message to Congress (II, 116) recommended the recognition of Buenos Ayres, Chile, Colombia, and other Republics, and the establishment of international relations with them. This Congress agreed to. The commercial relations between the United States and these Republics have steadily improved since this action. A conference, known as the International American Conference (q. v.), representing the United States and these Republics, met in Washington in 1889 to encourage closer business relations. This resulted in the establishment of the Bureau of American Republics (q. v.). The latest example of the recognition of a new republic by this country occurred in the year 1903, when the Republic of Panama proclaimed its independence of Colombia on November 4 and received the recognition of the American government two days later.

South Carolina.—One of the thirteen original States; nickname, "The Palmetto State;" motto, "Animis opibusque parati" ("Prepared in mind and resources"). It lies between lat. 32° 4' 30" and 35° 13' 2" north and long. 78° 28' and 83° 18' west. It is bounded on the north and northeast by North Carolina, on the southeast by the Atlantic Ocean, and on the southwest and west by Georgia (separated for most of the distance by the Savannah River). The surface is level near the coast, undulating in the interior, and mountainous in the northwest. The State produces gold, porcelain, clay, phosphates, and other minerals, and is especially noted for the production of rice and sea-island cotton. It was partially explored by the Spaniards in 1525, who named it Chicora. An unsuccessful attempt to colonize was made by the French under Ribault in 1562. The first permanent settlement was made by the English in 1670. Charleston was founded in 1680. Charles II gave the territory between lat. 29° and 36° 30' north, to eight of his favorites in 1663, and 2 years later he issued a charter placing the control of the colony in their hands. They employed John Locke, the philosopher, to draw up a constitution which should provide an ideal government. This "grand model" proved to be an attempt to set up the feudal system in America, and was abandoned by the proprietors in 1693. South Carolina became a royal colony in 1729. The first constitution was adopted in 1776. The Federal Constitution was ratified May 23, 1788. The State seceded on December 20, 1860 and was readmitted by act of Congress June 25, 1868.

South Carolina has an area of 30,570 sq. miles and a population (1900) of 1,340,316.

South Carolina (see also Confederate States):

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Revenue laws for—

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Referred to, II, 632.

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Slaughter of American citizens in Hamburg, referred to, VII, 375.

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Habeas corpus, writ of, suspended in certain counties, VII, 136, 139.

Revoked as to Marion County, VII, 138.

South Dakota.—One of the United States;

motto, "Under God the people rule." It

lies a little north of the center of the continent, between lat. 45° 57' and 42° 28' north

(extreme southeast point; west of the Missouri the southern boundary is 43° north)

and long. 96° 26' and 104° 3' west. It is

bounded on the north by North Dakota, on the east by Minnesota and Iowa, on the

south by Nebraska, and on the west by Montana and Wyoming. The Missouri River

divides the State into two nearly equal portions. The eastern part is generally smooth

and rolling. West of the river the country

rises more rapidly and culminates in the Black Hills, an elevated region some 60 by

100 miles in extent, the central point of which is Harney's Peak, 9,700 feet high. The Bad

Lands, in the southeastern part, is an interesting geological formation, consisting of a

South Dakota—Continued.

desert region abounding in canyons, depressions, walls, and castles of white earth, rich in soil-making chemicals and interesting fossils. Gold, silver and tin are produced in paying quantities. Agriculture and stock-raising are the principal industries. Flour and grist-mill products and butter, cheese, and condensed milk are the chief manufactures. The early history of the State is identical with that of North Dakota (q. v.), from which it was separated and admitted as a State in 1889. Area, 77,650 sq. miles; population according to the State census of 1905, 464,288.

South Dakota:

Admission of, into Union proclaimed, IX, 22.
Discussed, IX, 50.

Lands in—

Opened to settlement by proclamation, IX, 272, 584; X, 757.

Set apart as public reservation by proclamation, IX, 784; X, 733, 735; XI, 1055.

South Mountain, or Boonsboro (Md.), Battle of.

—After driving the Union army back upon the fortifications around Washington, Lee's army crossed the Potomac into Maryland. The Confederate commander issued an address to the people offering them the protection of his government and calling for volunteer soldiers. He sent the greater part of his army, about 25,000 men, under Jackson, to capture the garrison at Harper's Ferry. As soon as it became known at Washington that Lee had crossed into Maryland, McClellan was ordered to follow him with all the troops not needed to defend Washington. Sept. 12, 1862, McClellan reached Frederick with a force estimated at from 80,000 to 90,000 just after it had been evacuated by Lee's army, which had passed west over the Catoctin Mountains toward South Mountain. The road from Frederick to Hagerstown, Md., passes through Turners Gap of this mountain. Here, on Sept. 14, 1862, Gen. D. H. Hill, with a force of about 6,000 men, successfully resisted repeated assaults of Hooker's and Burnside's corps, fully 30,000 strong. At 3 p. m. Hill was reinforced by 1,900 men, and later in the day by Longstreet with 6 brigades, only 4 of which, numbering 3,000 men, were seriously engaged. The gap was contested from 8 a. m. until after dark. During the night the Confederates retired. Franklin took possession of Cramptons Gap, 6 miles below, held by the Confederates under Howell Cobb. The Federal loss at Turners Gap, South Mountain, was 328 killed and 1,463 wounded and missing, and at Cramptons Gap 115 killed and 418 wounded and missing. The Confederate loss at both aggregated 934.

South Platte Forest Reserve:

Boundaries modified, X, 794.

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For admission of certain, vetoed, VI, 648, 650.

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Governments to be reestablished in, proclamations regarding, VI, 213, 222.

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Joint resolution excluding electoral votes of States lately in rebellion vetoed, VI, 651.

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Modification of oath of office pertaining to efficient administration of revenue and postal laws in, recommended, VI, 382.

Reconstruction of. (See Reconstruction.)

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Sherman, William T., VI, 378.

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Restoration of, into Union. (See Restoration.)

Revenue and postal laws in, referred to, VI, 382.

Union and Confederate flags, return of, to respective States recommended, VIII, 578.

Proposition withdrawn, VIII, 579.

Unlawful combinations in. (See Elections in, *ante*.)

Southwest Territory.—A region comprising portions of the present States of Tennessee, Kentucky, and Mississippi, together with a strip of land ceded to the General Government by South Carolina. Though never organized under one territorial government, it was known as the Southwest Territory. An unsuccessful attempt was made to organize

Southwest Territory—Continued.

a portion of this territory into a new State to be called Franklin (q. v.). With the admission of Tennessee and Kentucky and the organization of a Territorial government in Mississippi this territory went out of existence.

Spain.—A Kingdom of southwestern Europe.

It is the Iberia and Hispania of the ancients. The earliest settlers are supposed to have been the progeny of Tubal, fifth son of Japhet. The Phenicians and Carthaginians successively planted colonies on the coasts as early as 350 B. C. The Romans conquered the whole country 206 B. C. The present Kingdom is bounded on the north by the Bay of Biscay and France (separated by the Pyrenees Mountains), on the east and south by the Mediterranean Sea, and on the west by Portugal and the Atlantic Ocean. The southern coast terminates in the promontory of Gibraltar, separated from the north coast of Africa by the Strait of Gibraltar, 15 miles in width. Spain has very valuable mineral resources, especially iron, sulphur, coal, quicksilver, lead, copper, silver, salt, zinc, etc. The leading productions are wine, grapes, oranges, raisins, olive oil, cork, and fruits. The export trade is mainly with Great Britain, France, and Germany. Christian kingdoms were founded in the eighth, ninth, and tenth centuries. Castile and Aragon were united in 1479, and Granada was taken from the Moors in 1492. Spain reached its greatest power in the sixteenth century. The Hapsburg dynasty ruled from 1516 to 1700, when the Bourbons succeeded them. The throne was given to Joseph Bonaparte in 1808. The Peninsular War lasted from 1808 to 1814. The first Carlist war was carried on from 1833 to 1840. A republic which had been formed in 1873 was overthrown in 1875, and the Bourbon dynasty restored. A second Carlist war was carried on from 1872 to 1876. War with the United States in 1898 resulted in the loss of Spain's West Indian possessions, the Philippine Islands and an island in the Ladrões. Spain was an ally of the United States from 1778 to 1782. The area of Spain, including the Balearic and Canary Islands and the African possessions, amounts to 194,783 sq. miles, with a population (1900) of 18,618,086.

Spain (see also Barcelona; Madrid):

American citizens—

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Commercial relations of United States with Cuba and Puerto Rico. (See Cuba; Puerto Rico.)

Commercial relations with, I, 118, 120, 121, 147, 172; VIII, 504; IX, 228.

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Commissioners arrange treaty of peace with. (See Enc. Art. on Spanish-American War.)

Conspiracy of citizens of United States against, I, 154, 406.

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Spanish-American War.—In February, 1895, the natives of Cuba, being dissatisfied with the treatment accorded them by Spain and discontented with the government afforded them, determined to throw off the yoke of oppression, with all the unreasonable burdens which it imposed. They took up arms against the mother country, and quickly the entire island was in a state of insurrection. This insurrection, like previous revolutions which had occurred in the island, was not at first considered of sufficient importance to

warrant interference or recognition on the part of the United States. A similar outbreak in the island occurred in 1868, during the Administration of President Grant. In his message to Congress Dec. 6, 1869, President Grant said: "The contest [in the island] has at no time assumed the conditions which amount to a war in the sense of international law, or which would show the existence of a *de facto* political organization of the insurgents sufficient to justify a recognition of belligerency" (VII, 31). In a message of June 13, 1870, describing the conditions in the island, he said: "The insurrection itself, although not subdued, exhibits no signs of advance, but seems to be confined to an irregular system of hostilities, carried on by small and illy armed bands of men, roaming without concentration through the woods and the sparsely populated regions of the island, attacking from ambush convoys and small bands of troops, burning plantations and the estates of those not sympathizing with their cause" (VII, 64). Again, Dec. 7, 1875, in a message to Congress he used the following language in respect to conditions in the island: "Considered as a question of expediency, I regard the accordance of belligerent rights still to be as unwise and premature as I regard it to be, at present, indefensible as a measure of right" (VII, 339). President Cleveland entertained an opinion in regard to the insurrection in Cuba arising in 1895 similar to those expressed by President Grant in regard to the insurrection of 1868, and in his message of Dec. 2 of that year he said: "Whatever may be the traditional sympathy of our countrymen as individuals with a people who seem to be struggling for larger autonomy and greater freedom, deepened, as such sympathy naturally must be, in behalf of our neighbors, yet the plain duty of their Government is to observe in good faith the recognized obligations of international relationship" (IX, 636). He insisted that belligerent rights should not be accorded to the insurgents, because of peril and injury to our own interests. He said in his message of Dec. 7, 1896: "Imperfect and restricted as the Spanish government of the island may be, no other exists there, unless the will of the military officer in temporary command of a particular district can be dignified as a species of government" (IX, 719). The foregoing expressions of opinion prove unmistakably that there was no reaching out on the part of the United States to interfere with the Spanish rule in Cuba. When President McKinley was inaugurated the insurrection described by his immediate predecessor still existed, and the grave questions which had confronted the latter were now presented for his consideration. He declined to interfere in the troubles in the island in any way and expressly refused to recognize the independence of Cuba. He announced that Spain would be given reasonable time in which to apply the reforms promised. In pursuance of Spain's promise autonomous administrations were established in some of the larger cities, but subsequent developments demonstrated the futility of such action and the failure of the newly formed governments. The revolution dragged on, sapping the substance of

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the people as it progressed and rendering destitute the poorer classes. Crimes were committed on every hand, while desolation and disorder reigned. To add to the horrors and atrocities of the struggle, the Captain-General of the island, Valeriano Weyler, Feb. 16, 1896, issued an edict initiating a cruel policy called "reconcentration." By this edict the agricultural inhabitants were herded into the cities, their lands laid waste, and their homes destroyed. The results in suffering and cruelty have been unprecedented in modern times. The mortality among the reconcentrados was frightful and distressing. Crowded within the cities and lines of the Spanish armies, the noncombatant men, women, and children, with scarcely any protection from the weather, poorly fed and clad, died from disease and starvation in untold numbers. The shocking cruelties thus practiced and the indescribable horrors of the situation attracted the attention of the civilized world and excited universal pity. Reports of the conditions in Cuba were from time to time brought to the United States, and the public mind throughout the country was greatly stirred. While this state of affairs existed the second-class battle ship *Maine*, which had been dispatched to Cuban waters on a friendly mission, was on the night of Feb. 15, 1898, blown up in the harbor of Havana. In this catastrophe 2 officers and 258 sailors and marines perished (X, 70). A thorough investigation of this disaster was immediately instituted, and at its close a report was made to the effect that the destruction of the ship had been wrought by an explosion from without, produced by a submarine mine (X, 56). The tension of the public mind, already great, was increased by this report and by the suspicion in the minds of many as to the cause of the disaster. The people could not much longer be held in check, and to those who were even casually observant it was apparent that a crisis in our affairs with Spain was imminent. Conservatism became unpopular, the feeling that war was necessary grew rapidly, and forbearance could not longer be tolerated. Congress was in session and unanimously appropriated \$50,000,000 for the national defense. This provision was timely. The coasts of the United States were poorly defended, the Navy needed ammunition and supplies and an increase in vessels, while the Army required enlargement in men and munitions. Apr. 6 the continental powers, through their envoys in Washington, gave expression to the hope that an amicable adjustment of the impending troubles might be reached. The President replied to their representations, and with them shared the hope that peace might be preserved. Negotiations with Spain continued for a brief period, but were barren of results. The President in his message of Apr. 11, 1898, announced the failure of diplomacy to bring about a satisfactory settlement of the difficulties and recommended to Congress forcible intervention (X, 56). Apr. 19, after refusing to recognize the government of Cuba, Congress with much unanimity declared the island independent of Spain and authorized forcible

intervention (X, 72). The resolutions met with the approval of the Executive, and he signed them the next day. Spain regarded this act on the part of the United States as "equivalent to an evident declaration of war." The ministers of the two countries were recalled and diplomatic relations terminated. Apr. 22 a blockade of Cuban ports was proclaimed (X, 247), and the following day a call was made for 125,000 volunteers (X, 248). A formal declaration of war was recommended by the President, and Apr. 25 Congress declared the existence of war from and including Apr. 21. Due notification of the existence of war was given to the various governments Apr. 25, nearly all of which immediately responded with proclamations of neutrality. May 25 there was a second call for volunteers, 75,000 in number (X, 252). Like the initial call for 125,000, this was responded to without delay. The Regular Army was largely increased, as was the enlisted force of the Navy. Over 100 vessels were added to the Navy by purchase. The coast defenses were rapidly strengthened, additional guns placed in position, and an auxiliary navy was created. About 1,500 submarine mines were placed at the most exposed points on the coast. Cable, telegraph, and telephone lines were constructed in many places. In addition to the national-defense fund of \$50,000,000, which was expended in large part by the Army and Navy, Congress provided further means for prosecuting hostilities by the war-revenue act of June 13, authorizing a 3 per cent. popular loan not to exceed \$400,000,000 and levying additional imposts and taxes. Of the authorized loan \$200,000,000 was offered and promptly taken, the subscriptions far exceeding the call. The first encounter occurred Apr. 27, when a detachment of the blockading squadron made a reconnaissance in force at Matanzas, Cuba, shelled the harbor forts, and demolished several new works in course of construction. The next engagement occurred May 1, at Manila, in the Philippine Islands. The American squadron at Hongkong, under Commodore George Dewey, had been instructed to proceed to the Philippine Islands and to capture or destroy the formidable Spanish fleet assembled at Manila. At daybreak of May 1 Dewey's fleet, successfully passing over the submarine mines, entered Manila Bay and after a few hours' engagement destroyed the entire fleet of 10 warships and 1 transport, captured the naval station and forts at Cavite, and completely controlled the bay of Manila, with the ability to take the city at will. On the American side not a life was lost, the wounded numbering only 7, and not a vessel was materially injured. The Spanish loss in killed and wounded exceeded 400. Thus the first great battle of the war was a victory for the United States magnificent in effect and extraordinary in detail, standing unequalled in the achievements of naval warfare. The effect of this remarkable victory gave a prestige of invincibility to the United States which, though long deserved had never been appreciated by the great naval powers of the earth. Reinforcements, under Maj. Gen. Wesley Merritt, were hurried to the Philippine Islands and

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firmly established within sight of Manila, which lay helpless before the American guns. The first expedition sailed from San Francisco May 25 and arrived off Manila June 30. Other expeditions soon followed, until the total force landed at Manila consisted of over 15,000 officers and men. In the meantime large forces were assembled at various points along the coast of the United States to invade Cuba and Puerto Rico. San Juan, Puerto Rico, and the forts at the entrance to Santiago Harbor, Cuba, were shelled by the American squadrons, but none of the attacks had any appreciable result. On the night of June 3, in an attempt to blockade the mouth of Santiago Harbor, Assistant Naval Constructor Richmond P. Hobson, accompanied by 7 men from the American squadron, sank the collier *Merrimac* across the narrow channel. This unparalleled act of heroism thrilled not only the hearts of the American people, but challenged the admiration of the world. Under the protection of a portion of the American fleet a landing of 600 marines was effected at Guantanamo Bay on June 10. This port was taken and held after severe fighting by the marines, who were the first organized forces of the United States to land in Cuba. By June 16 additional forces had been landed. June 22 the advance of the American army under Maj. Gen. William R. Shafter landed at Daiquiri, about 15 miles east of Santiago, and the next day began the movement against the city. The first serious engagement in which the American troops lost heavily occurred at Las Guasimas June 24. By nightfall of that day ground within 5 miles of Santiago was won. The outworks of Santiago were taken July 1 after a severe battle, and on the next day El Caney and San Juan were captured after a desperate struggle. The investment of the city was now complete. The naval forces cooperated, shelling the town and the coast forts. On the following day, July 3, occurred the decisive naval combat of the war. The Spanish fleet under Rear-Admiral Pascual Cervera, which had been confined in the harbor of Santiago for 6 weeks by the blockading squadron under Acting Rear-Admiral William T. Sampson, attempted to escape. The Spanish vessels were intercepted and utterly destroyed by the American fleet under the immediate direction of Commodore Winfield S. Schley, who assumed command during the temporary absence of Rear-Admiral Sampson. The Spanish loss was 600 killed and about 1,400 prisoners, including the admiral. Spain was unable to recover from the catastrophe, and her efforts upon the ocean virtually ceased. The capitulation of Santiago, which embraced the entire eastern end of Cuba, soon followed. July 17 the American army occupied the city. The number of Spanish soldiers surrendered was 22,000. An expedition against Puerto Rico, consisting of about 3,500 men, under the command of Maj. Gen. Nelson A. Miles, was immediately fitted out, and landed at Guanica July 25. Gen. Miles's force was subsequently increased to about 17,000. With the exception of a few slight engagements there was no serious resistance, and the middle of August

found much of the island in the possession of the American troops. As early as July 26 Spain made overtures for peace through M. Jules Cambon, the French ambassador at Washington. Aug. 12 the peace protocol was signed, by which hostilities were brought to an end. Aug. 15, the news of the signing of the protocol not having reached the Philippines, the battle of Manila was fought, and the last scene of the war was enacted when, after a brief assault by the American land and naval forces, the city was compelled to surrender. The total casualties in killed and wounded during the war were: Army, officers killed, 23; enlisted men killed, 257—total, 280; officers wounded, 113; enlisted men wounded, 1,464—total, 1,577. Navy, killed, 17; wounded, 67; died as result of wounds, 1; invalided from service, 6—total, 91. In the entire campaign by land and sea the United States did not lose a flag, gun, ship, or transport, and, with the exception of the crew of the *Merrimac* not a soldier or sailor was taken prisoner. Aug. 7 the American troops in Cuba began to embark for home, and the entire force was returned to the United States by Aug. 24, after an absence of only 2 months. A treaty of peace was signed at Paris by the commissioners of the two countries Dec. 10, 1898. It was ratified on the part of the United States Feb. 6, and on the part of Spain Mar. 19, 1899. By the treaty it was provided that Spain relinquish all claim of sovereignty over and title to Cuba; that Puerto Rico and other West Indian islands of Spain, one island in the Ladrões, and the entire Philippine group be ceded to the United States, and that Spain be paid \$20,000,000. The ratifications of the two Governments were exchanged in Washington Apr. 11, 1899, and on the same day President McKinley issued the following proclamation: "Whereas a treaty of peace between the United States of America and Her Majesty the Queen Regent of Spain, in the name of her august son, Don Alfonso XIII, was concluded and signed by their respective plenipotentiaries at Paris on the 10th day of December, 1898, the original of which, being in the English and Spanish languages, is word for word as follows: [Here the full text of the treaty is inserted.] And whereas the said convention has been duly ratified on both parts and the ratifications of the two Governments were exchanged in the city of Washington on the 11th day of April, 1899: Now, therefore, be it known that I, William McKinley, President of the United States of America, have caused the said convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof."

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- Schwan, Theodore, Puerto Rican expedition reinforced by brigade of, X, 93.
- Shafter, William R.—
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- Wilson, John M., Puerto Rican expedition reinforced by division of, X, 93.
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Speaker.—The title of the presiding officer of the House of Representatives. The Constitution provides that "the House of Representatives shall choose their Speaker and other officers." It is doubtful, however, if the framers of the Constitution contemplated vesting the Speaker with the power he now enjoys. The system of legislation by committees which has gradually grown up, carrying with it the prerogative of the Speaker to name them, has greatly extended his influence. The first Speaker of the modern sort—more of a leader of the House than a presiding officer—was Henry Clay. As the representative of the House the Speaker presides over the deliberations of that body, appoints its committees, supervises its journal, certifies to the amount of compensation due its members, signs the bills, resolutions, warrants, subpoenas, etc., and has the right, as a member, to participate in debate after calling another member to the chair. The Speaker rarely avails himself of this privilege. He is chosen by the House from among its members. Following is the list of the Speakers of the House: Frederick A. C. Muhlenberg, Pennsylvania; Jonathan Trumbull, Connecticut; Jonathan Dayton, New Jersey; Theodore Sedgwick, Massachusetts; Nathaniel Macon, North Carolina; Joseph B. Varnum, Massachusetts; Henry Clay, Kentucky; Langdon Cheves, South Carolina; John W. Taylor, New York; Philip P. Barbour, Virginia; Andrew Stevenson, Virginia; John Bell, Tennessee; James K. Polk, Tennessee; Robert M. T. Hunter, Virginia; John White, Kentucky; John W. Jones, Virginia; John W. Davis, Indiana; Robert C. Winthrop, Massachusetts; Howell Cobb, Georgia; Linn Boyd, Kentucky; Nathaniel P. Banks, Massachusetts; James L. Orr, South Carolina; William Pennington, New Jersey; Galusha A. Grow, Pennsylvania; Schuyler Colfax, Indiana; James G. Blaine, Maine; Michael C. Kerr, Indiana; Samuel J. Randall, Pa.; J. Warren Keifer, Ohio; John G. Carlisle, Ky.; Thomas B. Reed, Me.; Chas. F. Crisp, Ga.; David B. Henderson, Iowa; Joseph S. Cannon, Ill.

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Specie Circular.—An order drafted by Senator Benton, of Missouri, and issued by the Secretary of the Treasury July 11, 1836, by order of President Jackson (X, 104). It was designed to check speculative purchases of public lands. In it the officials were di-

Specie Circular—Continued.

rected to receive nothing but gold and silver in payment for public lands. The circular was issued in opposition to the sentiment of Congress, which at the next session passed a bill to rescind the order, but Jackson defeated the bill by a pocket veto. The President's action aroused much indignation and, it is claimed, hastened the panic of 1837.

Specie Payments.—The United States suspended specie payments Jan. 1, 1862, and Congress authorized the issue of large quantities of United States notes to be a legal tender. In this action the Government had been preceded by most of the banks of the country, following the example of the New York banks. Jan. 14, 1875, the act authorizing the resumption of specie payments of Government contracts to begin Jan. 1, 1879, was approved by President Grant in a special message (VII, 314). To this end the purchase of bullion and the manufacture of subsidiary coin was at once begun. The mints were run overtime to supply the demand for specie, and resumption became an accomplished fact.

Specie Payments:

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Correspondence regarding Dorr's Rebellion, IV, 299, 300, 302, 304.

Spirits. (See Distilled Spirits.)

Spitzer, Solomon, act for relief of heirs of, returned, VIII, 615.

Spoils System.—The policy of bestowing public offices upon members of the party in power as rewards for political services. These official rewards once secured, the beneficiaries found it incumbent upon them to assist in keeping in power the party to which they owed their positions, not only by a strict attention to the duties of their offices, but also by making friends and votes for their superior officer. Under the spoils system, it is charged, official duties are often made secondary to partisan obligations. This system is not confined to American politics, but is carried on in England, where Parliament has created a patronage secretary, who takes charge of the apportionment and keeps regular accounts with the members of Parliament of the positions which have been filled upon their recommendation. In the United States

the system developed first in New York and Pennsylvania. Tammany Hall made effective use of the system in its fight against the Clintons in the first quarter of the present century. It was extended to State politics by the "Albany Regency," established by Martin Van Buren in 1818. It was not until Jackson's time, however, that it became a feature of Federal politics. The spoils system derived the name commonly applied to it from a sentence used in a speech made by Senator William L. Marcy, of New York, while urging the Senate to confirm the nomination of Martin Van Buren as minister to England. In defense of the charge against Van Buren that he had introduced the custom of removal from office for opinion's sake, Mr. Marcy, speaking for the Democrats of New York, Jan. 25, 1832, declared that "they see nothing wrong in the rule that to the victor belongs the spoils of the enemy." It has since been a regular feature of American politics in every Administration, tempered of late by the provisions of the civil-service act of 1883. (See also Civil Service.)

Spoilation Claims (see also France, claims against discussed):

Act providing for—

Ascertainment and satisfaction of, vetoed, IV, 466.

Ascertainment of, vetoed, V, 307.

Spoiliations (see also Alabama Claims; the several powers, claims against; Vessels, United States, seized):

Discussed by President—

Adams, John, I, 247.

Jefferson, I, 383, 395, 425.

Monroe, II, 196.

Washington, I, 146.

Spooner Act, mentioned, XI, 1180.

Spottsylvania Court-House (Va.), Battle of.—After 2 days' fighting in the Wilderness, south of the Rapidan River, in Virginia, Grant attempted to turn Lee's right flank and advance toward Richmond by way of Spottsylvania Court-House. This resulted in a series of battles. Lee discovered the movement of Grant's army and reached Spottsylvania first. By May 9, 1864, Grant had his army concentrated near Spottsylvania. Hancock commanded the right, Warren the center, and Sedgwick the left. The latter was killed while placing his artillery on the 9th, and Wright succeeded him in command of the Sixth Army Corps. May 10 and 11 there was desultory fighting, skirmishing, and manœuvring for positions. Grant's losses during the 10th are supposed to have exceeded 10,000 men, and Lee's are also supposed to have been severe. The morning of May 12 opened with an advance by Hancock's column, which surrounded and captured with the salient an entire division (Gen. Edward Johnson's) of 3,000 Confederates, including 2 generals and between 30 and 40 guns. The fighting of this day was as severe as any during the war. Lee made 5 furious assaults in quick succession, with the view of dislodging Hancock and Wright from the captured salient. From dawn till dusk the battle raged. The Federal assault on the Confederate line was checked. It was renewed without success on the 18th. After several days of manœuvring and having received reinforcements enough to make up for his losses, Grant, on the 20th and 21st of

Spottsylvania Court-House (Va.), Battle of—Continued.

May, moved southward toward the North Anna River. The Federal losses in the battle of Spottsylvania Court-House, including the conflicts at Todd's Tavern, Corbin's Bridge, Alsop's Farm, Laurel Hill, Po River, Ny River, the angle of the salient, Piney Branch Church, Harris's Farm, and Guineys Station, between May 8 and 21, 1864, were officially reported as 2,725 killed, 13,416 wounded, and 2,258 missing, a total of 18,399. The Confederate losses, only partially reported, were (Ewell's, Johnson's, and McGowan's divisions) 4,001 killed and wounded.

Sprague, William, correspondence regarding Dor's Rebellion, IV, 305.

Springfield, Mo., act for erection of public building at, vetoed, VIII, 476.

Springfield (N. J.), Battle of—June 6, 1780, Generals Sterling, Knyphausen, Mathews, and Tryon left Staten Island with 5,000 men to attack Washington's army at Morristown, N. J. Sterling was killed and Knyphausen took command. He advanced to within half a mile of Springfield, harassed all the way by the settlers and militia. Sir Henry Clinton returned to New York on June 17 from Charleston, S. C., and prepared to join Knyphausen. On June 23 the British advance was made in two columns. The American outposts were forced back upon Springfield, which the British burned, and then retreated to Staten Island. The British loss amounted to about 150, the American to 83.

Springfield, Ohio, act to establish port of delivery at, vetoed, VIII, 417.

Squadron:

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Squin-ah-mish Indians, treaty with, V, 379.

Staff of Army. (See Army.)

Stamford Harbor, Conn., survey of, referred to, II, 480.

Stamp Act.—An act of the British Parliament passed in 1765 and put into effect in the American Colonies Nov. 1 of that year. It levied on British subjects in America specific sums for each of the common transactions of business, Deeds, bonds, notes of hand, indentures, insurance policies, leases, contracts of sale, etc., were not to be enforced by courts unless written on stamped paper bought of the officers of the Crown. Without stamped wills testamentary dispositions would be void; without stamped receipts debts could not be acquired; vessels at sea without clearances written on stamped paper were liable to seizure and confiscation if they fell in with one of the King's ships; only stamped newspapers could be exposed for sale; without stamped certificates marriages could not lawfully be contracted; unstamped writs and executions had no force or effect; in short, the American citizen must have been daily paying money into the Brit-

ish treasury at its stamp office or in respect to much of the protection which society undertakes to afford he was an outlaw. Under this act business was suspended. The people absolutely refused to use the stamps. Benjamin Franklin presented a petition of the colonists to the House of Commons, and on Mar. 18, 1766, the stamp act was repealed. The agitation resulting from the act was one of the leading causes in effecting the Revolution.

Stamp-Act Congress.—A body which met at New York Oct. 7, 1765, composed of delegates from all the Colonies except Virginia, North Carolina, New Hampshire, and Georgia. There were 26 members, including 4 from New York, 2 each from Rhode Island and Delaware, and 3 each from Massachusetts, Connecticut, New Jersey, Pennsylvania, Maryland, and South Carolina. Timothy Ruggles, of Massachusetts, was chosen president. The manifestoes issued by this congress were "A Declaration of the Rights and Grievances of the Colonists of America," an address to the King, a memorial to the House of Lords, and a petition to the House of Commons, all of a loyal and respectful tone. The congress adjourned Oct. 25.

Stanbery, Henry:

Counsel for President Johnson in impeachment proceedings, VI, 726.

Special commissioner to investigate administration in military division on Mississippi River, VI, 273.

Standley, John S., delegate to the Choctaws for treaty purposes, mentioned, IX, 233.

Stanly, Edward, military governor of North Carolina, authority and action of, referred to, VI, 80.

Stanly, Fabius, mentioned, V, 595.

Stanton, Edwin M.:

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Discussion of, and orders concerning the suspension of, as Secretary of War and transfer of records to Gen. U. S. Grant, VI, 556, 583, 603.

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Suspension of, discussed and orders regarding, VI, 556, 583. (See also VI, 603.)

Stapleton, Robert H., act granting pension to, vetoed, VIII, 468.

Star Routes. (See Postal Service.)

Star Spangled Banner.—A patriotic song written by Francis Scott Key, of Baltimore, on the night of Sept. 13, 1814, during the bombardment of Fort McHenry by the British. Key had gone under a flag of truce to solicit the release of some friends who had been seized by the English Admiral Cochrane during the attack on the city of Washington. Upon Key's arrival the British fleet was about to begin the attack on Fort McHenry, and though his request for the release of his friends was granted, Admiral Cochrane refused to allow him or his friends to leave the ship before the battle. During the excitement of the bombardment

Star Spangled Banner—Continued.

Key wrote the famous song on the back of a letter. It was published and sung at the theaters to the tune of "Anacreon in Heaven."

Starr; William H., act granting pension to, vetoed, VIII, 454.

Stars and Bars.—The flag of the Confederate States of America. The first provisional Senate recommended that "the flag of the Confederate States shall consist of a red field with a white space extending horizontally through the center and equal in width to one-third the width of the flag." The union was a blue square extending across the upper red and the white stripe. In the blue square 9 stars were arranged in a circle. The bars were, by their colors, red and white, intended to express the qualities of courage and purity. The blue field of the union expressed fortitude, and the 9 stars represented the number of States in the Confederacy. It was first displayed Mar. 4, 1861, simultaneously with the inauguration of Lincoln, being unfurled over the statehouse at Montgomery, Ala. In 1863 the Stars and Bars too closely resembling the Stars and Stripes, the Confederate congress adopted a white flag with one blue star in the center. Another variation commonly used was a white field with blue diagonal stripes and white stars, and a piece of fringe at the outer edge. Some of the army corps adopted a battle flag with a red ground, blue diagonal cross, and white stars.

Stars and Stripes. (See Flag.)

State Banks. (See Banks, State.)

State Constitutions. (See Constitutions, State.)

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Guaranty of, by General Government discussed, IV, 211.

Injure public credit, IV, 208.

Referred to, III, 552.

Repudiation of contracts referred to, IV, 109.

State, Department of.—This Department of the Executive Government had its origin in the Committee of Secret Correspondence, appointed November 29, 1775, to invoke foreign aid in behalf of the American colonies. This Committee was succeeded by the Committee of Foreign Affairs which was created by an act of the Continental Congress on April 17, 1777. "A plan for the Department of Foreign Affairs" was reported to Congress in January, 1781, and the Department was reorganized on August 10, of that year, Robert K. Livingston was made Secretary and he filled the position until June 4, 1783. On the retirement of Livingston the Department of Foreign Affairs practically ceased to exist, for about a year, Congress managing the foreign relations of the country through committees. On September 21, 1784, however, John Jay was appointed Secretary and the functions of the office were revived. After the acceptance of the Constitution Congress passed a law entitled "an act for establishing an Executive Department to be denominated the Department of Foreign Affairs." This became a law on July 27, 1789 and John Jay, being in charge of the old Department, was continued temporarily in charge of the new one. The

existence of this Department, however, was destined to be brief, for on September 15, following, an act of Congress was approved which provided that "the Executive Department denominated the Department of Foreign Affairs, shall hereinafter be denominated the Department of State and the principal officer shall hereafter be called the Secretary of State." On September 26 Thomas Jefferson was made Secretary. Besides the care of the foreign correspondence, the Secretary of State was required, among other duties, to receive and publish the laws of the United States; to become the medium of correspondence between the President and the governors of the several States; and to be the custodian of the seal of the United States. The scope of the Department was so materially enlarged that it became the most important of the government offices under the President, a position which it has ever since held. Many of the functions originally given to the Department of State have since been transferred to other Departments. According to the law of April 10, 1790, the Department was given charge of the patent business, which it retained until 1849, when the work was given over to the new Department of the Interior. A law passed May 31, 1790, made the Department of State the repository of maps, charts, and books for which copyright might be granted by United States district courts, but in 1859 these records were turned over to the Department of the Interior and later to the Library of Congress where the business is now conducted. From 1790 until 1850 the Department also cared for the enumeration of the census, but in the latter year that work was given to the Department of the Interior, from which, in 1903, it was transferred to the Department of Commerce and Labor. Territorial affairs were also under the care of the Department of State until the organization of the Department of the Interior in 1849. In 1853 an Assistant Secretary of State was provided by law with power to act as Secretary during the latter's absence or during an interregnum. A Second Assistant Secretary was provided for in 1866 and in 1875 the office of Third Assistant Secretary was created. In 1848 the office of Examiner of Claims was created, whose duties were to examine claims of our citizens against foreign governments and of foreigners against our Government, but when the Department of Justice was formed, in 1870, this office passed under its jurisdiction, while the duties of the incumbent remained a part of the functions of the Department of State. In 1891 the title of this office was changed to Solicitor for the Department of State. In 1856 the Statistical Office of the Department of State was established; in 1874 the title was changed to Bureau of Statistics, and a year later it was again changed to the Bureau of Foreign Commerce. This Bureau was, in 1903, transferred to the Department of Commerce and Labor and made a part of its Bureau of Statistics. The Bureau of Indexes was established in 1870; the Bureau of Accounts in 1873; and the Bureau of Rolls and Library in 1874. Work originally done by the Home Bureau (1834) has since been given to the Passport Bureau and the Bureau of Appointments. Other important Bureaus are the Diplomatic Bureau (1834) which has

State, Department of—Continued.

charge of all correspondence between the Department and our diplomatic agents abroad and foreign diplomatic agents in the United States, prepares treaties, etc.; and the Consular Bureau (1834). The Bureau of Trade Relations was established in 1903 to manage the work of the consular officials in obtaining reports for the Department of Commerce and Labor. The following have been Secretaries of State under the Constitution: Thomas Jefferson, Virginia; Edmund Randolph, Virginia; Timothy Pickering, Pennsylvania; John Marshall, Virginia; James Madison, Virginia; Robert Smith, Maryland; James Monroe, Virginia; John Quincy Adams, Massachusetts; Henry Clay, Kentucky; Martin Van Buren, New York; Edward Livingston, Louisiana; Louis McLane, Delaware; John Forsyth, Georgia; Daniel Webster, Massachusetts; Hugh S. Legaré, South Carolina; Abel P. Upshur, Virginia; John C. Calhoun, South Carolina; James Buchanan, Pennsylvania; John M. Clayton, Delaware; Edward Everett, Massachusetts; William L. Marcy, New York; Lewis Cass, Michigan; Jeremiah S. Black, Pennsylvania; William H. Seward, New York; Elihu B. Washburne, Illinois; Hamilton Fish, New York; William M. Everts, New York; James G. Blaine, Maine; Frederick T. Frelinghuysen, New Jersey; Thomas F. Bayard, Delaware; John W. Foster, Indiana; Walter Q. Gresham, Indiana; Richard Olney, Massachusetts; John Sherman, Ohio; William R. Day, Ohio; John Hay, District of Columbia, and Elihu Root, New York.

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Statistics, Bureau of.—A Bureau of the Department of Commerce and Labor. It was established in 1866, as a Bureau of the Treasury Department, but on the establishment of the Department of Commerce and Labor, in 1903, it was transferred to that Department. It collects and publishes from time to time statistics of the commerce of the United States with foreign countries, immigration statistics, etc. Its annual Statistical Abstract of the United States and reports on commerce and navigation are important documents.

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- Stivers, Charles B.**, joint resolution declaring retirement of, from Army legal, etc., vetoed, IX, 91.
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- Stockton, Robert F.**:
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- Stoluck-whá-mish Indians**, treaty with, V, 379.
- Stone, Charles P.**, charges against and trial of, referred to, VI, 74.
- Stone, Cudbert**, act granting pension to, vetoed, VIII, 546.
- Stone, William**, report of, on slaughter of American citizens in South Carolina transmitted, VII, 375.
- Stone River, or Murfreesboro (Tenn.), Battle of.**—Oct. 30, 1862, Gen. Buell was succeeded in the command of the Army of the Ohio by Gen. William S. Rosecrans. During December the Federal army of 41,421 infantry, 3,266 cavalry, and 2,223 artillery, with 150 guns, lay at Nashville, Tenn. The recent invasion of Kentucky by the Confederates under Gen. Bragg having proven unsatisfactory to the Confederate government, he was again ordered to the north soon after he had reached Chattanooga. By Christmas he was posted near Murfreesboro, about 30 miles southeast of Nashville, with an army of 37,000 men. Rosecrans had planned to assail the Confederate right early on the morning of December 31, in front of Murfreesboro. Bragg, anticipating his design, attacked McCook on the Federal right and drove him from his position with considerable loss, including 3,000 prisoners and 28 guns. Some Federal accounts represent the Confederates as repulsed four times after their successful charge. Both armies rested on Jan. 1, 1863. On the 2d Rosecrans resumed his efforts to turn the Confederate right. Some statements are to the effect that Bragg attacked unsuccessfully. The one here followed says the Federals advanced, were forced back across Stone River, but later recovered the ground and threw up breastworks. Bragg retired from his position on the 3d and occupied Murfreesboro, which he evacuated on the 5th. He then fell back about 25 miles to Duck River. The Federal loss in the fighting about Murfreesboro was 1,733 killed, 7,245 wounded, and over 3,000 prisoners—a total of about 12,000. The loss of the Confederates was about 11,000 men in

Stone River, or Murfreesboro, (Tenn.).**Battle of—Continued.**

killed, wounded, and missing. This battle is called by the Confederates the battle of Murfreesboro. It was one of the bloodiest of the Civil War.

Stono Ferry (S. C.), Battle of.—In the early summer of 1779 the British under Gen. Prevost advanced upon Charleston and demanded its surrender. They were driven off by the vigorous action of Pulaski, Rutledge, Moultrie, Laurens, and others. In his retreat toward Savannah Gen. Prevost left a detachment in charge of Stono Ferry, 10 miles below Charleston on the Stono River. June 20 these were attacked by Gen. Lincoln. In the absence of concerted action the assault failed and the Americans withdrew after losing 146 in killed and wounded.

Stony Creek (Canada), Battle of.—When the British were driven from Fort George, on the Niagara River, they fled westward under command of Gen. Vincent as far as Stony Creek, 6 miles southeast of the present city of Hamilton and about 50 miles from the Niagara River. Here they made a stand, having been reinforced by troops from Kingston. They were closely followed by 1,300 Americans under Generals Chandler and Winder. At midnight June 5, 1813, Vincent, with about 800 men, started for the American camp. The attack was made before daylight, and the combatants were unable to distinguish friend from foe. Chandler and Winder were both captured and Vincent was lost in the woods. The British command then devolved upon Col. Harvey, who, despairing of driving the Americans from their position, withdrew from the attack while it was yet dark. The Americans fled to Forty-Mile Creek, where they were joined by 400 reinforcements. The total casualties of the battle were: Americans, 154; British, 178.

Stony Point (N. Y.), Storming of.—With a view to regaining possession of the Hudson, Gen. Clinton in June, 1779, occupied and fortified Verplancks Point and Stony Point, garrisoning the latter with 600 men. To circumvent his movements Washington sent for Anthony Wayne and asked him if he could take Stony Point. His reply is said to have been: "I will storm hell if your excellency will plan it." Accordingly, Washington planned the assault, and on the night of July 16, 1779, Wayne, with about 800 men selected from 3 regiments of infantry, a detachment from West Point, and Col. Lee's light-horse, made a sudden assault upon the fort. The plans were carefully executed, the guns were carried off, and the works destroyed. The British casualties were 20 killed, 74 wounded, 58 missing, and 472 prisoners—a total loss of 624. The total American loss was only 15 killed and 83 wounded. Among the latter was Gen. Wayne. This the boldest exploit of the Revolution was initiated by the capture and gagging of a sentinel, the countersign having been obtained by a negro strawberry vender and by him communicated to the Americans. While the negro chatted with the sentry the latter was seized by the American advance party.

Storer, George W., conduct of, referred to, IV, 678.

Straw Shoe Channel, steamers sailing under

American flag prohibited from passing through, referred to, VI, 698, 704.

Street, George F., correspondence regarding northeastern boundary. (See *Northeastern Boundary*.)

Streight's Raid.—In the spring of 1863, about the time Col. Grierson's flying column of cavalry was organized at Memphis, Tenn., Col. A. D. Streight, of the Fifty-first Indiana, was permitted by Gen. Rosecrans to take a body of 1,800 cavalry from Tusculum, Ala., to attempt the destruction of railroads and other property in northern Alabama and Georgia. The raiders started out Apr. 12 and were captured May 3, 1863, near Rome, Ga., having accomplished nothing. The capture was made by Forest's cavalry.

Stricklett, Georgia A., act for relief of, vetoed, VIII, 659.

Strike Commission:

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Report of, transmitted, IX, 556.

Stringham, Silas H., thanks of Congress to, recommended, VI, 83.

Stryker, Cyrenius G., act granting pension to, vetoed, VIII, 665.

Stuart, Charles B., report on waterway referred to, VI, 201.

Stuart, George H., member of Indian commission, VII, 23.

Subconstitutional Centennial Commission, memorial of, proposing to celebrate centennial anniversary of framing Constitution discussed, VIII, 533.

Submarine Cables. (See *Ocean Cables*.)

Submarine Telegraph Company, claim against United States, X, 676.

Subsidies to Railroads:

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Information regarding, transmitted, VIII, 373.

Subsidies to Steamships:

Discussed, VII, 197, 352; VIII, 353.

Views of Postmaster-General regarding, VI, 363.

Subsidy.—Derived from the Latin *subsidiū*, originally the troops stationed in reserve in the third line of battle, from *subsistere*, to sit down. In Europe, after the period of its first use, it meant a sum of money paid to an ally to aid in carrying on war. In England it was a special tax levied upon persons and not upon property. It has now come to mean money paid by a government to individuals or companies, such as steamship or railway, in excess of the value of services rendered and in aid of individual enterprise. Railways in the United States have been assisted by State and municipal subscriptions to their bonds. National aid to railways, with the exception of the Union and Central Pacific, has been in the form of land grants. In the case of the Pacific roads, in addition to 33,000,000 acres of land, the company was granted a money subsidy of more than \$25,000 a mile. The first subsidized steamships were those of the Cunard Line, which in 1838 were allowed an annual subsidy of £81,000 by Great Britain. Two years later agitation was begun in the United States to have steamship mail lines established on the subsidy plan, and in 1845 the Postmaster-General was authorized to make contracts for carrying foreign mail in steamships sailing under the American flag. In 1847 an act was passed requiring the Secretary of the

Subsidy—Continued.

Navy to arrange for United States steamships to carry the mail from New York to Liverpool, to the West Indies and Gulf ports, and from Panama up the Pacific coast. By 1852 the Government was paying \$2,000,000 a year for foreign mail service, but Congress soon after put an end to all mail subsidies. An act of Mar. 3, 1891, directed the Postmaster-General to pay \$4 a mile run for first-class vessels for carrying foreign mails and in consideration of their use as auxiliary naval vessels. In 1892 the International Navigation Company made an arrangement for first-class European service in connection with the American registry of the *Paris* and *New York*. In 1898 Senator Hanna introduced into the Senate a comprehensive bill to provide subsidies for all classes of American shipping, the bill passed the Senate in March, 1902, but failed to pass the House, although several small subsidies have been granted both before and since that date.

Subtreasury System.—The subtreasury system of the United States is an outgrowth of the panic of 1837. In his special session message to Congress that year President Van Buren strongly recommended such a system (III, 324). Silas Wright, of New York, introduced a bill in Congress in accordance with the President's recommendations. It prohibited Government agents from receiving anything but gold and silver. In 1840 the bill became a law and subtreasuries were established at New York, Boston, Charleston, and St. Louis, the mint at Philadelphia and the branch mint at New Orleans having been also made places of deposit. The law was repealed in 1841 and reenacted in 1846. The subtreasury at Charleston has been suspended, but subtreasuries have been established at Baltimore, Chicago, Cincinnati, and San Francisco.

Subtreasury System:

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Discussed by President—

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Tyler, IV, 45, 207.

Van Buren, III, 324, 379, 489, 534, 540, 610.

Modifications in, recommended, V, 18.

Suffrage.—The privilege of participating in the government of a state or nation by voting at an election of officers or on a change in the fundamental law. Suffrage under the Constitution of the United States is exercised by such electors in each State as have the qualifications necessary for electors of the most numerous branch of the State legislature (I, 21). The Constitution does not guarantee the suffrage to any citizen, but by the fourteenth and fifteenth amendments the States are forbidden to abridge the privileges or immunities of United States citizens or to deny or abridge the right of suffrage on account of race, color, or previous condition of servitude. The age of 21 is universally fixed upon as that when suffrage may be exercised. In some States ability to read and write is required, some a small property qualification or tax is imposed, while in others aliens who have declared their intention to become citizens are allowed to vote. Until the present century suffrage was greatly restricted in America. Massachusetts and the New Haven Colonies for a long time

allowed none but church members to vote. There have been periods in the history of nearly all the Colonies when only freeholders were allowed to vote. When the States in the Federal Union first framed their constitutions some of them retained the church-membership qualification, while others permitted suffrage to freeholders only. In 1798 Georgia abolished the property qualification, and was followed by Maryland in 1801, Massachusetts and New York in 1821, Delaware in 1831, New Jersey in 1844, Connecticut in 1845, Virginia in 1850, North Carolina in 1854, South Carolina in 1865, and Rhode Island, except in municipal elections, in 1888. The new States have mostly provided for manhood suffrage from the first. (See also Woman Suffrage.)

Suffren, The, French seamen on, accidentally killed by salute from the *United States*, III, 54.

Sugar:

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From sorghum and sugar cane discussed, VIII, 798.

Manufacture of milk, in Switzerland referred to, VIII, 394.

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Sugar Bounty:

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Suits Against Government, act regarding bringing of, vetoed, IX, 247.

Sullivan, John T., director of Bank of United States, nomination of, and reasons therefor, III, 41.

Sullivan, Mary, act granting pension to, vetoed, VIII, 651.

Sumatra.—An island of the Malay archipelago, a colony of the Netherlands. It is south and west of the Malay peninsula, and it is separated from Java by the Strait of Sunda. It contains some mineral wealth, and produces coffee, sugar, rice, pepper, etc. The religion is Mahomedan. In 1873 Sumatra made war against Acheen, which ended in the subjugation and annexation of the latter. Area, 161,592 sq. miles; population (1900), 3,170,312.

Sumatra, attack on American vessels by pirates on coast of, II, 551, 596.

Instructions to commander of the *Potomac* regarding, II, 575.

Sumner, Edwin V., treaty with Indians concluded by, V, 191.

Sumpter, The, arrest of part of crew of, at Morocco referred to, VI, 144.

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Superintendent of Finances. (See Finances, Superintendent of.)

Superintendent of Immigration, report of, discussed, IX, 445.

Superior, Lake. (See Lake Superior.)

Suplee, Edwin M., report of, on Navajo Indians transmitted, IX, 347.

Supplies, Public:

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Officer should be placed in charge of, I, 149.

Supreme Court. (See Court, Supreme.)

Supreme Court Justices.—Chief and associate justices of the Supreme Court are appointed by the President, by and with the advice and consent of the Senate, and hold office during good behavior. The Chief Justice receives a salary of \$13,000 per year and the associate justices \$12,500. Since the establishment of the court the following have served as Chief Justice: John Jay, New York; Oliver Ellsworth, Connecticut; John Marshall, Virginia; Roger B. Taney, Maryland; Salmon P. Chase, Ohio; Morrison R. Waite, Ohio; Melville W. Fuller, Illinois, the present Chief Justice. The following have served as associate justices: John Rutledge, South Carolina; William Cushing, Massachusetts; Robert H. Harrison, Maryland; James Wilson, Pennsylvania; John Blair, Virginia; James Iredell, North Carolina; Thomas Johnson, Maryland; William Paterson, New Jersey; Samuel Chase, Maryland; Bushrod Washington, Virginia; Alfred Moore, North Carolina; William Johnson, South Carolina; Brockholst Livingston, New York; Thomas Todd, Kentucky; Joseph Story, Massachusetts; Gabriel Duval, Maryland; Smith Thompson, New York; Robert Trimble, Kentucky; John McLean, Ohio; Henry Baldwin, Pennsylvania; James M. Wayne, Georgia; Philip P. Barbour, Virginia; John Catron, Tennessee; John McKinley, Alabama; Peter V. Daniel, Virginia; Samuel Nelson, New York; Levi Woodbury, New Hampshire; Robert C. Grier, Pennsylvania; Benjamin R. Curtis, Massachusetts; John A. Campbell, Alabama; Nathan Clifford, Maine; Noah H. Swayne, Ohio; Samuel F. Miller, Iowa; David Davis, Illinois; Stephen J. Field, California; William Strong, Pennsylvania; Joseph P. Bradley, New Jersey; Ward Hunt, New York; John M. Harlan, Kentucky; William B. Woods, Georgia; Stanley Matthews, Ohio; Horace Gray, Massachusetts; Samuel Blatchford, New York; Lucius Q. C. Lamar, Mississippi; David J. Brewer, Kansas; Henry B. Brown, Michigan; George Shiras, jr., Pennsylvania; Howell E. Jackson, Tennessee; Edward D. White, Louisiana; Rufus W. Peckham, New York; Joseph McKenna, California; Oliver Wendell Holmes, Massachusetts, and William R. Day, Ohio. The court as at present (1906) constituted, consist of the Chief Justice and Judges Harlan, Brewer, Brown, White, Peckham, McKenna, Holmes, and Day.

Supreme Court Justices:

Salaries of, increase in, recommended, VII,

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Should be exempted from other duties, II, 261.

Supreme Court Reports.—The opinions and decisions of the Supreme Court are recorded in 198 volumes, including the cases decided up to June, 1905. They comprise its work from its first session in 1790, to the present time. They begin with the volume numbered 2 Dallas and include 3 volumes by Dallas, covering the period between 1790 and 1800; 9 volumes by Cranch, 1800 to 1815; Wheaton, 12 volumes, 1816 to 1827; Peters, 16 volumes, 1828 to 1842; Howard, 24 volumes, 1843 to 1860; Black, 2 volumes, 1861 to 1862; Wallace, 23

volumes, 1863 to 1875. Up to that date the reports had reached 89 volumes by the different compilers. Since 1876 the reports have been styled 90 U. S.; 91 U. S., etc.; 90 U. S. was reported by Wallace; 91 to 107 U. S. was reported by William J. Otto, from 1875 to 1882; 108 to 186 U. S. between 1882 to 1902 by J. C. Bancroft Davis, and the remainder by Charles Henry Butler.

Surgeon-General of Army:

Building for library of, recommended, VIII, 70, 246.

Ordered to accompany ex-President Jackson home, III, 323.

Surplus Revenue, Distribution of.—In his annual message of Dec. 1, 1834 (III, 97), President Jackson announced the extinguishment of the public debt. The compromise tariff measure of 1832, while it made some reduction in the revenue derived from import duties, produced a surplus in the Treasury. Jackson advocated the distribution of this surplus among the States rather than the appropriation of it to other purposes. A bill providing for such disposition of the surplus was attached to the bill regulating public deposits and passed by Congress in 1836. Under this law all the money in excess of \$5,000,000 in the Treasury Jan. 1, 1837, was to be deposited with the States in proportion to their representation in the electoral college, and in four installments. The States were required to give certificates of deposit payable to the Secretary of the Treasury on demand. None of the banks selected by the Government as the custodians of public funds was under any kind of official supervision by the States which chartered them or by the General Government. The sum to be divided was \$37,468,859. Three installments of the money were paid to all the States except the few that had refused to accept it on the conditions imposed. The return of these loans to the States has never been demanded.

Surplus Revenue in Treasury. (See Treasury.)

Surratt, John H.:

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Surratt, Mary E., implicated in assassination of President Lincoln, proceedings of trial of, and verdict of military commission, VI, 334, 335, 336, 342, 347, 348.

Surveyors, Public, punishment of persons interrupting in performance of the trusts confided to them, referred to and recommendation for penalty for the same, II, 479.

Surveys, control and supervision of geographical and geological, discussed, VII, 264. (See also the several surveys.)

Susan Loud, The, seizure of, by Spanish or Cuban authorities referred to, V, 143.

Claims arising out of, referred to, V, 185, 367.

Suspension Bridge, N. Y., proclamation granting privileges of other ports to, V, 326.

Susquehanna, The, repair of, referred to, V, 231.

Susquehanna Company.—An organization, composed mostly of Connecticut farmers, formed in 1754 for the purpose of colonizing the Wyoming country. This was the name given to a strip of land bought by

Susquehanna Company—Continued.

Connecticut from the Plymouth Company in 1631. Under the charter granted by James I to the Plymouth Company in 1620, their territory extended from the Atlantic to the Pacific and from lat. 40° to 46° north. The grant of Charles II to William Penn extended to 42° north, thus overlapping the Plymouth grant to more than the extent of the territory sold to Connecticut, which extended to 41° south. In 1754 the Susquehanna Company made a treaty with the Six Nations of Indians, securing the right to settlement upon their purchase. Charles II confirmed the sale to Connecticut, and Pennsylvania, though disputing the sale, made no effort to prevent a settlement. The first settlers in the disputed territory were driven off by the Indians in 1763. In 1769 some 40 more settlers arrived in the Wyoming region and were arrested by Pennsylvania officials. For the next 6 years a sort of civil warfare was kept up between the settlers of the disputed tract, and only suspended during the Revolution, after which the dispute was arranged between the States and the titles to the land confirmed. (See also Wyoming Controversy.)

Susquehanna, or Conestoga, Indians.—A tribe of the Iroquoian stock of Indians, now extinct. They formerly lived in Pennsylvania and Maryland, along the Susquehanna River and at the head of Chesapeake Bay. They were close allies of the Dutch and Swedes, but treacherous in their dealings with the English. The Susquehannas were overthrown by the Iroquois in 1675 after a desperate struggle. A remnant of the tribe was massacred by whites at Lancaster, Pa., in 1763.

Sutro Tunnel, referred to, VII, 194.

Swamp Lands. (See Lands, Swamp.)

Swann, Thomas, mentioned, VI, 613.

Swanton, Vt., proclamation granting privileges of other ports to, V, 326.

Swartwout, Samuel, crimes charged against, I, 417.

Swartwout, Samuel, default of, referred to, III, 506. (See also III, 492.)

Swartwout, Samuel, thanks of Congress to, recommended, VI, 76.

Sweden.—A Kingdom in the eastern part of the Scandinavian peninsula, in Europe. It is bounded on the north and west by Norway, on the east by Finland, the Gulf of Bothnia, and the Baltic Sea, and on the south and southwest by the Baltic and the Cattegat and Skager Rack channels. It extends from lat. $55^{\circ} 20'$ to $69^{\circ} 3'$ north and from long. $11^{\circ} 6'$ to $24^{\circ} 8'$ east. The surface is generally hilly and contains many lakes and rivers. Sweden was one of the prominent European powers in the seventeenth century. It took a leading part in the Thirty Years' War under Gustavus Adolphus and his successor. In 1814 Sweden united with the independent Kingdom of Norway, King Carl XIII becoming Sovereign of both countries, both countries however keeping a separate government, constitution, and code of laws. This union was dissolved by Norway in 1905, and Prince Charles of Denmark was elected king under the title of Haakon VII. The area of Sweden is 172,876 sq. miles and a population (1902) of 5,108,752.

Sweden and Norway (see also Bergen):

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Gothenburg system of regulating liquor traffic in, report on, transmitted, IX, 350.

Interference with the vessels of the United States. (See the *Admiral P. Tordenskiold*.)

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Nomination of, I, 330.

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Missionaries of Sweden, murder of, in China discussed, IX, 436.

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Vice-consul of, to United States, exequatur of, revoked, VI, 429.

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Swift & Co., vessels purchased for Peru by, from United States detained, VI, 633.

Swin-a-mish Indians, treaty with, V, 379.

Swine Products. (See Animals and Animal Products.)

Swiss Confederation. (See Switzerland.)

Switzerland.—A confederation of 22 Cantons, whose general government is vested in a Federal Assembly of 2 chambers, which jointly elect the federal council of 7 members and also the President of the Swiss Confederation, who serves for 1 year. Switzerland is bounded on the north by the provinces of Alsace and Baden, on the northeast and east by the Lake of Constance, Vorarlberg, and Tyrol, on the south by Italy and France, and on the west and northwest by France. The chief wealth of the country lies in its excellent pasture lands; rye, oats and wheat are grown, and the production of cheese and condensed milk is an important industry. The manufactured products include textiles, leather, paper, wood work, watches and jewelry. Large numbers of persons are supported by the tourists who flock to the country in large numbers both in summer and winter. It is one of the oldest of existing republics and dates from August I, 1291, when three of the present Cantons entered into a defensive league. In point of age it is only surpassed by the tiny republics of San Marino and Andorra. It has

Switzerland—Continued.

maintained its unique position among the empires of continental Europe not by military power, population, or extent of territory, but by reason of the jealousy of its neighbors. It has an area of 15,976 sq. miles; population (1900), 3,315,443.

Switzerland (see also *Berne*):

American citizens of Hebrew persuasion in, discriminated against, V, 592.

Claims of, against United States, VIII, 614.

Consul of United States in, charges against character of, refuted, VI, 520.

Consuls of United States requested by, to protect citizens of, in countries where it is not represented, VIII, 40.

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Copyright privilege extended, by proclamation, IX, 147.

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Fruits, American, restrictions upon importation of, into, discussed, X, 106.

Fugitive criminals, convention with, for surrender of, IV, 506.

Immigration questions with, VII, 568; VIII, 40, 128.

Milk sugar manufactured in, referred to, VIII, 394.

Minister of, to United States, plenipotentiary mission created, VIII, 131.

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Sydney, New South Wales, international exhibition in, discussed, VII, 567, 607; VIII, 38.

Sylvester, Isaac A., appropriation for payment of claim of, recommended, VIII, 81.

Symmes, John C.:

Lands lying within patent of, referred to, II, 238.

Lands on Great Miami purchased by, referred to, I, 113.

Symons, Thomas W., mentioned, X, 712.

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Tacoma, Wash., act granting use of lands to, for purpose of public park vetoed, VIII, 697.

Tacubaya, American ministers assemble in, II, 369. (See also *Panama, Isthmus of*.)

Congress of, indefinitely postponed, II, 385.

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Taft, Lydia A., act granting pension to, vetoed, IX, 674.

Talcott, Andrew, report of, as commissioner on northeastern boundary. (See *Northeastern Boundary*.)

Talcott, George, commissioner of United States, mentioned, II, 212.

Talladega (Ala.), *Battle of*.—After the destruction of Tallasahatchee Jackson was in-

formed that 160 friendly Creek warriors, with their families, were hemmed in at Talladega, in Lashley's fort, by 1,000 hostile Indians. Nov. 8, 1813, Jackson set out with 1,200 infantry and 800 cavalry to raise the siege. By 4 o'clock the next morning he had surrounded the enemy, who, 1,080 strong, were concealed in the thickets. At daylight the battle began. It resulted in the complete rout of the savages. As many as 290 dead warriors were found and many others doubtless perished in the woods of the surrounding mountains. The number of the wounded could not be ascertained, but was large. The loss to the whites was 15 killed and 85 wounded.

Tallasahatchee (Ala.), *Battle of*.—The massacre at Fort Mims spread consternation throughout the region inhabited by the Creeks, and hardy volunteers came forward thirsting for vengeance. Gen. Jackson led the Tennessee militia across the line into Alabama. Upon his arrival at the Coosa he was informed that the Creeks were assembled at Tallasahatchee, a town in an open woodland, not far from the present village of Jacksonville, the county seat of Benton County, Ala., on the southeast side of the Tallasahatchee Creek. Jackson sent Gen. Coffee with 1,000 horsemen to destroy the town. Nov. 3, 1813, Coffee's men surrounded the place and the Indians came out to meet them. The battle was short, sharp, and desperate. The victory for the whites was complete. Every warrior was killed. None asked for quarter, and each fought to the death. At the close of the battle 186 bodies were counted on the plain. It is believed that 200 were killed. Eighty-four women and children were made prisoners. The loss to the whites was 5 men killed and 41 wounded.

Talleyrand, Charles M., letter of, to Citizen Pichon regarding United States ministers in France, I, 283.

Tamarois Indians, treaty with, II, 47.

Tammany.—In 1789 the Columbian Order was organized in New York City by William Mooney, as a counter move against the foundation of the so-called Aristocratic Society of the Cincinnati. In 1805 it was incorporated under the name of Tammany Society. This was in memory of Tammany, an aged, wise, and friendly chief of the Delaware Indians. At this time charitable societies were also organized in Philadelphia and other cities and named in his honor. The only one of the number that survives is that in New York. William Mooney was the first grand sachem of Tammany, and was assisted by 13 sachems, representing the governors of the thirteen States. The members wore Indian insignia. In 1811 the society built the original Tammany Hall, fronting on City Hall Park. Since then a local political party, favored by a majority of the members of the Tammany Society, has always had its headquarters in the house of the society, and has been popularly known as "Tammany Hall." In theory the Tammany Hall general committee has no relation to the Tammany Society save as tenant of the latter's edifice, yet in practice they are coordinate branches of one political system, the society being in effect the citadel of the controlling spirits of the Tammany Hall party. Tammany

Tammany—Continued.

Hall claims to be the regular Democratic organization of the city and county of New York, though that claim has often been contested. By means of a thoroughly organized system of Tammany clubs and assembly district associations it has usually held a paramount place in city politics.

Taos (N. Mex.), Battle of.—Feb. 3, 1847, Col. Price, with about 400 Americans, arrived at the town of Don Fernando de Taos, on the top of the Taos Mountain, which had been the scene of the murder of Governor Bent and his party. The Mexicans, numbering 600, had taken refuge in a stone church and two other large buildings. They resisted the American assaults during Feb. 4 and on the morning of the 5th surrendered. The American loss was 54 killed and wounded; that of the Mexicans, 152 killed and many wounded.

Tappan, Samuel F., treaty with Indians concluded by, VI, 636.

Tariff.—The word "tariff" is generally applied to the customs duties levied by Congress on merchandise imported. Tradition identifies the word with the town of Tarifa, Spain. Here, during the Moorish occupancy of the country about Gibraltar, all vessels passing through the strait were compelled to put in and pay such duties as were demanded by the chiefs in possession. Among the Greeks and Romans a duty similar to the tariff of the present day was known, and in England as early as 980, during the reign of Ethelred, duties on ships and goods were levied, to be paid at Billingsgate. Charles II established a regular schedule of rates in 1663. After 1846 England gradually abolished her tariff duties, beginning with the repeal of the corn laws and continuing until 1891-92, when revenue duties alone were collected, and those upon less than twenty articles. In the United States the First Congress passed a tariff law levying on an average less than 8 per cent *ad valorem* on imports. This was approved by Washington July 4, 1789. Madison opened the discussion of this measure in Congress. South Carolina and Georgia favored a rate of 5 per cent, Pennsylvania one of 12 or more, while New England and Virginia succeeded in getting the rate raised a little above what the far South asked for, but placed it lower than the chief manufacturing States desired. The tariff of 1816 imposed duties of about 25 per cent on certain leading manufactures, under protest from the agricultural States of the South. In 1824 a new tariff act was passed, increasing, among the changes made, duties on metals and agricultural products. Jan. 31, 1828, the "tariff of abominations," as it was named by its enemies, was introduced in the House. It embodied in part the recommendations of a national convention of manufacturers held at Harrisburg, Pa., but satisfied neither the friends nor the opponents of protection. This bill proposed a 41 per cent rate and was favored by Daniel Webster, who reversed his position of 1824. South Carolina protested against the proposed measure as unconstitutional unjust and oppressive. North Carolina also protested, and Alabama and Georgia denied the power of Congress to lay duties for protection. July 14, 1832, President Jackson ap-

proved a bill reducing the tax on iron, increasing that on woollens, making some raw wools free, and leaving cotton unchanged. This bill retained the protective feature of the law of 1828, but reduced the taxes somewhat. South Carolina passed an ordinance nullifying this act (see Nullification) but her ordinance was rescinded after the approval of the compromise tariff of 1833. This measure, introduced by Clay and supported by Calhoun, provided for a gradual reduction of duties to a uniform rate, to be reached in 1842. It secured a revenue tariff by successive reductions. In 1842, the Whigs being in a majority, Congress enacted a protective tariff, which President Tyler vetoed (IV, 180). July 30, 1846, a tariff law was enacted which subordinated the principle of protection to that of revenue. It passed the House by a vote of 114 to 95 and the Senate by the casting vote of Vice-President Dallas. The average rate of duty was fixed at about 25 per cent. This was lowered to about 20 per cent by an act of 1857. In 1861 the principle of protection was reasserted in the Morrill Act, which increased the rates of 1857 about one-third. During the Civil War the tariff rates were repeatedly raised to meet the expenses of Government and stimulate manufacture. These rates were continued long after the cessation of hostilities. In 1882 a tariff commission was appointed to visit different sections of the country in the interest of tariff revision. The commission recommended a reduction of 20 per cent in rates. President Cleveland, in his message of Dec. 8, 1885 (VIII, 341), recommended a reduction of the tariff, and his message of Dec. 6, 1887 (VIII, 580), was devoted exclusively to this topic. From this time on, party lines began to be drawn on the tariff question, most of the Republicans favoring protection and the majority of the Democrats advocating a revision in the direction of lower duties. The Mills bill, framed largely in accordance with President Cleveland's views, passed the House but failed in the Senate where a bill, embodying the ideas of the protectionists on tariff revision was substituted for it by the Republican majority. In the Fifty-first Congress, the Republicans being in control, passed the McKinley Tariff Act of 1890 raising the duties to an average of 48 per cent. By the elections of 1890 and 1892 the Democrats came into power, and in the Fifty-third Congress the House passed the Wilson bill providing for substantial reductions, especially on raw materials. Amendments were added in the Senate which essentially changed its character and the bill became law in 1894 without the President's signature. It provided for an income-tax which was, however, declared unconstitutional by the Supreme Court. The elections of 1894 and 1896 returned the Republicans to power and in 1897 the Dingley law was passed, which imposes the highest rates of duty ever known in our history. It has been revised so far as concerned the Philippines in 1905, when a lower tariff came into force, and again in 1906 when the islands were given practically free trade with this country, of the few articles excepted, the most important were sugar, coffee, and tobacco.

Tariff. (See Foreign Import Duties; Import Duties.)

Tariff Acts. (See Import Duties.)

Tariff Commission discussed, VIII, 49, 135, 244.

Tariff Laws. (See Import Duties.)

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1816 referred to, II, 191.

1842 discussed and referred to, IV, 404, 451, 499, 552, 647.

1846 discussed and referred to, IV, 552, 647; V, 520.

Tarrateen Indians. (See Abnaki Indians.)

Tate, James H., consul at Buenos Ayres, nomination of, and reasons therefor, IV, 421.

Tattnall, Josiah, mentioned, II, 475.

Taussig, Edward D., member of board of management of Government exhibit at World's Columbian Exposition, IX, 401.

Tawakaro Indians, treaty with, III, 395.

Tax, Income. (See Income Tax.)

Tax, Poll. (See Poll Tax.)

Taxation.—The exaction of money from the individual for the use of the state is a function of all forms of government. The generally accepted theory of taxation in America is that money to be used in the service of all the citizens of the state is justly raised by taxation; that a tax which does not bear equally upon all or which, bearing equally upon all, is used only for the benefit of a few is unjust. The direction taken by all efforts at tax reform is toward self-taxation—i.e., the community as a whole to decide what is required of each individual for the public expense. Out of this principle grew the doctrine that no tax can be levied save by the representatives of the people who must pay it. It was in defense of this principle that the American colonists objected to the stamp tax imposed by Parliament and raised the claim that "taxation without representation is tyranny." The tax levied by a conquering nation upon a vanquished foe is tribute. Direct taxation is authorized by the Constitution in proportion to the population. The first direct tax was for \$2,000,000, and was levied *pro rata* upon the sixteen States existing in 1798. Others have since been levied, notably that of 1861, when \$20,000,000 was levied in this manner for prosecuting the war. Three-fourths of this amount was by act of Mar. 2, 1891, refunded to the States. Congress is forbidden by the Constitution to lay any tax or duty on exports (I, 26). States are forbidden to lay duties on either exports or imports, but may resort to direct taxation. Until the Civil War the Federal Government relied chiefly upon duties upon imports for its revenue, but since that time an internal-revenue tax has been collected. State taxation is direct and is assessed upon real and personal property, upon privileges, and upon individuals or polls. Before 1800 most of the States passed laws to regulate taxation. All except Delaware levied a tax on land, and nine of the original thirteen States collected a poll tax. The systems of county, State, and municipal taxation are numerous and constantly changing. According to the contention of those who favor the single-tax theory, taxation should be solely upon land values, exclusive of improvements.

Taxation (see also Import Duties):

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Joint resolution to correct clerical error; in internal-revenue act vetoed, VI, 270.

On capital and deposits of banks, repeated, recommended, VIII, 49.

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Recommended, VII, 148, 470; VIII, 9, 134, 244; IX, 39.

Repeal of laws regarding, recommended, I, 328; II, 20.

Well-digested system of, recommended, I, 529.

Taxes, Direct.—Section 8 of Article I of the Constitution authorizes Congress to lay and collect taxes. During the history of the Government it has not been deemed necessary to lay direct taxes but five times—in 1798, 1813, 1815, 1816, and 1862. The last time was during the Civil War, when a direct tax of \$20,000,000 was levied, to be proportionately assessed against all lots of ground with their improvements and dwelling houses. The operation of the act was suspended July 1, 1872, and by an act of Mar. 2, 1891, \$15,000,000 of this amount was refunded to the States. The earlier direct taxes were levied on houses, lands, and slaves. (See also Income Tax.)

Taylor, Arlanta T., bill granting pension to, returned, VIII, 539.

Taylor, David, claim of, referred to, V, 142.

Taylor, Horace A., mentioned, IX, 401.

Taylor, John, act for relief of, vetoed, VIII, 433.

Taylor, John, commissioner to treat with Indians, nomination of, I, 338.

Taylor, Margaret S., resolution of Congress on death of husband transmitted to, V, 60.

Taylor, N. P., register in land office at St. Louis, conduct of, referred to, IV, 157.

Taylor, Nathaniel G., treaty with Indians concluded by, VI, 629.

Taylor, Zachary (twelfth President United States):

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Commander of American forces in war with Mexico, IV, 441.

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 - Remains of, removal of, referred to, V, 75.
 - State of the Union discussed by, V, 9.
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 - Hayes, VII, 470, 559.
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 - Repeal of, recommended, VII, 107.
- Growth and culture of, recommended, VII, 626.

Tehuantepec, Isthmus of, transit way across:

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 - Cleveland, VIII, 327, 371.
 - Fillmore, V, 81, 120, 166.
 - Pierce, V, 233, 368.
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 - Taylor, V, 16, 42.
- Measures for protection of American citizens and property in, recommended, V, 517, 538, 569.
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 - Great Britain, V, 42, 81, 370, 410, 586.
 - Mexico, V, 106, 120.
- Ratification of, opposed by President
 - Pierce, V, 233.
- Rejection of, by Mexico discussed, V, 166.

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- Contract for use of, by Post-Office Department recommended, IX, 127, 199.
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- Pacific telegraph referred to, VI, 128, 181, 244.
- Proposed overland, between America and Europe discussed, VI, 244.
- Union of postal system and, discussed. (See Government control of, *ante*.)

Ten-Hour System. (See Hours of Labor.)

Tennessee.—One of the United States; nicknames, "The Volunteer State;" "The Big Bear State;" motto, "Agriculture; Commerce." It lies between lat. 35° and 36° 35' north and long. 81° 37' and 90° 15' west. Tennessee is bounded on the north by Kentucky and Virginia, on the east and south-

east by North Carolina (separated by the Great Smoky and Bald ranges of the Alleghanies), on the south by Georgia, Alabama, and Mississippi, and on the west by Arkansas and Missouri (separated by the Mississippi River). The eastern portion of the State is mountainous, while the extreme western part, bordering on the Mississippi River, consists of a flat alluvial plain, where vegetation grows with almost tropical luxuriance. Between these two extremes are the valley of the Tennessee in its southern course, an important agricultural region, and the Cumberland Plateau, a table-land with an elevation of 2,000 feet. Extending from this plateau to the Tennessee River in its northern course through the State lies the great central basin, sometimes called the Garden of the State. West of the Tennessee Valley rises another fertile plateau before the descent to the lowlands of the Mississippi. The leading productions are corn, wheat, cotton, and live stock. Tennessee produces some of the finest tobacco grown in the United States. Manufactures of cotton goods and iron have grown up since the Civil War. The capital, Nashville, is one of the greatest educational centers in the South. The first permanent settlement was made in 1769 at Wautauga by immigrants from North Carolina. When North Carolina proposed to cede this territory to the General Government these settlers objected and organized a State under the name of Franklin (q. v.). This government was overthrown and a Territory was organized in 1790. The State was admitted to the Union June 1, 1796. In January, 1861, a proposal to secede from the Union was defeated by popular vote, but carried in the election of June 8 of the same year. The State was the scene of some of the fiercest battles of the Civil War, including those of Island No. 10, Nashville, Lookout Mountain, Murfreesboro, Fort Donelson, Shiloh, Missionary Ridge, etc. It was readmitted to the Union in 1866. Area, 42,050 sq miles; population (1900), 2,020,616.

Tennessee (see also Confederate States; Memphis):

- Amendment to Federal Convention, ratification of referred to, I, 259.
- Commanding officers in, instructions to, as to conduct of war, VI, 275.
- East Tennessee Relief Association. Address regarding relief for people in eastern section of, discussed, VI, 204.
- Home of Andrew Jackson tendered Government by, V, 421.
- Insurrection in, declared suppressed by proclamation, VI, 317.
- Joint resolution restoring, to Union approved and discussed, VI, 395.
- Major-General Jackson conducts operations against Indian allies of Great Britain, I, 548.
- Murders committed by Indians in, X, 44.
- Ratification of amendment to Federal Constitution by, referred to, I, 250.
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- Volunteers of—
 - Expenses incurred by, recommendation that Government pay the, III, 235, 255.
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Operation of, under Maj. Gen. Jackson against Indian allies of Great Britain, I, 548.

Recommendation that Government pay expenses incurred by, III, 235, 255.

Tennessee Bond Cases.—A series of 17 cases decided by the United States Supreme Court in 1885. In 1852 the Tennessee legislature passed an act making certain railroad bonds a statutory lien upon the property on which they were issued. Holders of State bonds afterwards brought suit to establish their lien upon the property in question. The Supreme Court held that the lien was created for the benefit of the State and not of the holders of State bonds issued under that act.

Tennessee River :

Canal from the Altamaha to, referred to, II, 464.

Survey of, referred to, II, 565.

Tenure-of-Office Act.—Under the terms of the Constitution the power of making appointments is vested in the President, to be exercised with the advice and consent of the Senate. In the course of his disputes with Congress President Johnson was charged with a corrupt use of the power of appointment and removal, and on the first day of the second session of the Thirty-ninth Congress a bill was introduced "to regulate the tenure of certain civil offices." It was passed over the President's veto Mar. 2, 1867, and was repealed in 1887. This act provided that, with certain exceptions, every officer appointed with the concurrence of the Senate should retain his office until a successor should be in like manner appointed. Johnson was impeached for violating the act in 1868 with regard to Secretary of War Stanton.

Tenure-of-Office Act :

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Territorial Expansion :

Annexation discussed. (See Alaska; California; Cuba; Florida; Gadsden Purchase; Hawaiian Islands; Louisiana Purchase; New Mexico; Philippine Islands; Puerto Rico; St. John Island; St. Thomas Island; Santo Domingo; Texas; Yucatan.)

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Tyler, IV, 37, 196, 211, 307, 316, 318, 323, 337, 340, 353.

Van Buren, III, 373, 485, 531, 602.

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Territories.—At the close of the Revolutionary War several of the States had claims to extensive tracts of land beyond their western borders. The claim was set up that these territories belonged to the United States, as having been won by all in common. Between 1781 and 1802 all these outlying tracts passed by acts of cession under the jurisdiction of the United States. Subsequent additions have been made by purchase or treaty. (See Alaska, California, Florida, Gadsden Purchase, Louisiana Purchase, Oregon, Texas, etc.) The Continental Congress resolved that the western territory to be ceded to the United States "shall be settled and formed into distinct republican States, which shall become members of the Federal Union and have the same rights of sovereignty, freedom, and independence as the other States." The Northwest Territory was organized in 1787, the Southwest in 1790. The territories may be classified as follows:—(I) Organized Territories, to which class belong Arizona, Hawaii, New Mexico and Oklahoma; (II) Unorganized Territories, which are Alaska and the Indian Territory; and (III) Federal District, the District of Columbia. An organized Territory has a governor, appointed by the President, by and with the advice and consent of the Senate, for 4 years, and a legislature composed of a council and a house of representatives chosen every 2 years by the people. A delegate to Congress, who may speak but not vote, is elected by the people for 2 years. Territorial legislation is subject to Congressional control. Territorial courts are provided for, the judges of which are appointed by the President for 4 years and confirmed by the Senate, and over which the United States Supreme Court has appellate jurisdiction. Alaska has form of government similar to that of the organized Territories, but has no legislature nor representatives in Congress. Each tribe in the Indian Territory has its own internal organization and relations with the U. S. Government are conducted through the Department of the Interior. (See also District of Columbia.)

Territories (see also the several Territories):

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- Northwest of Ohio referred to, I, 150, 191.
- Officers in, absence of, referred to and orders regarding, VI, 522; VII, 141.
- Power of legislatures of, to authorize corporations to issue bonds referred to, III, 540.
- Roads within, power to construct, discussed, V, 216.
- Slavery in, discussed. (See Slavery.)
- South of Ohio—
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- Transfer of affairs of, from State Department to Interior Department recommended, VII, 106, 191.
- Terry, Alfred H.**, report of, on disaster to forces under, Gen. Custer transmitted, VII, 373.
- Terry, David S.**, assault by, upon Justice Field, discussed, IX, 42.
- Terry, Elias S.**, commissioner to adjudicate claim of David Taylor, V, 142.
- Teton Indians**, treaty with, II, 346.
- Texan War.** (See Wars, Foreign.)
- Texas.**—The largest of the United States; nickname, "The Lone Star State." It lies between lat. 25° 51' and 36° 30' north and long. 93° 27' and 106° 40' west. It is bounded on the north by Oklahoma and the Indian Territory, on the northeast by Arkansas, on the east by Arkansas and Louisiana, on the south and southeast by the Gulf of Mexico, on the south and southwest by Mexico, and on the west by New Mexico. It consists of a low coast region in the southeast, west of this a prairie country, a hilly region, elevated plains to the north and west, and a mountainous country west of the Pecos River. It is an important agricultural State, the leading products being cotton, corn, live stock, sugar, and rice. The manufacture of lumber and timber products, cotton seed oil, and grist and flour mill products are the chief industries. The discovery and development of the oil fields has added to the wealth and population of the State. La Salle made a landing at Matagorda Bay and built a fort in 1685. By the treaty of 1819-1821 with Spain the United States surrendered her claim that Texas was included in the Louisiana Purchase. Meanwhile Mexico had declared her independence of Spain, and Texas with Coahuila formed a State of the Mexican Republic. Texas seceded from Mexico, proclaiming her independence Mar. 2, 1836. After the defeat of the Mexican forces under Santa Anna by Gen. Houston in the battle of San Jacinto, Apr. 21, 1836, the Republic of Texas was recognized by England, France, Belgium, and the United States. Annexation was accomplished by a joint resolution of Congress Dec. 29, 1845. The dispute over the western boundary led to the Mexican War. On Mar. 25, 1850, Texas ceded to the United States all claims to territory outside her present limits, receiving therefor \$10,000,000. An ordinance of secession was passed Feb. 1, 1861. The State was readmitted to the Union Mar. 30, 1870. Area, 265,780 sq. miles; population (1900), 3,048,710; (1905), 3,650,000, according to estimate of the Board of Agriculture.
- Texas** (see also Confederate States):
Acquisition of, not attempted by conquest, IV, 487.
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Texas vs. White et al.—A case before the Supreme Court of the United States in which the acts of secession of the Southern States were declared void and the rights of a State of the Union held to be unimpaired by the acts of a revolutionary government within the State. In 1851 the United States issued to the State of Texas 5,000 coupon bonds for \$1,000 each, payable to the State of Texas or bearer, with interest at 5 per cent. semiannually, in settlement of certain boundary claims. Some of these bonds were seized by the officers of the State government during the Civil War and sold to White & Chiles and others of New York. The bonds were payable only when indorsed by the governor. The State convention in 1866 passed an ordinance looking to the recovery of these bonds. An act passed in October of that year authorized the governor to proceed in his discretion to carry out this intention. The agent appointed by the executive procured the filing of a bill the same year asking for an injunction and the recovery of the bonds in question. The case came before the Supreme Court of the United States at the December term, 1868, on the original bill. The injunction was granted on the general ground that the action of a revolutionary State government did not affect the right of Texas as a State of the Union having a government acknowledging her obligations to the Federal Constitution. The court pronounced the act of secession void, Chief Justice Chase rendering the opinion. Justice Grier dissented on all the points raised and decided. Justices Swayne and Miller concurred in dissented on the capacity of the State of Texas, "in her present condition," to waive on an original suit. On the merits of the case they united with the majority. Further hearing was accorded to certain parties, and both complainant and defendants were granted liberty in the decree to apply for further directions in its execution. In one place in the court's opinion the Chief Justice said it was a historical fact that in 1862 the government of Texas in control was its only actual government, its acts in almost all respects valid, though unlawful and revolutionary as to the United States. December, 1869, the additional part of this celebrated case, known in the reports as *Texas vs. Hardenberg*, arose, the

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Chief Justice deciding for the court that upon the whole case the decree must be for the complainant as to the bonds claimed by Hardenberg. Further decisions of the Supreme Court on additional portions of the case are as follows, briefly: December, 1870, *In re* Paschal, Justice Bradley delivering the court's judgment, it was ordered that the motion to compel George W. Paschal to pay to the clerk of the court the money received by him be denied. An order was granted to discharge him as solicitor and counsel for the complainant in the second case. October, 1874, *In re* Chiles, Justice Miller rendering the court's opinion, Justices Field and Hunt dissenting, it was ordered that Chiles pay a fine of \$250 and the costs of the proceeding and stand committed to the marshal's custody until the same be paid. This was for contempt in disobeying the court's decree.

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Thames (Canada), Battle of.—After Perry's victory over the British fleet on Lake Erie, Gen. Harrison completed his preparations for the invasion of Canada. Sept. 21, 1813, the embarkation of the army on Perry's transports began. On the afternoon of the 27th the Army of the Northwest, consisting of 5,000 men, under the immediate command of Gen. Harrison and Gen. Shelby, governor of Kentucky, landed at Amherstburg (Malden), but found that Proctor's army, about 800 regulars and 1,200 Indians, had fled inland. Harrison started in hot pursuit. In response to the repeated demands of Tecumseh the British made a stand about 8 miles north of the river Thames. Here they were attacked on Oct. 5 by about 3,000 Americans. A short but decisive battle took place, in which the British and Indians were completely routed and Chief Tecumseh was killed. The precise number of casualties in this battle is not known. The American loss was probably about 15 killed and twice that number wounded. The British lost about 18 killed, 26 wounded, and 600 taken prisoners, of whom 25 were officers. Proctor made his escape. Thirty-three dead Indians were found upon the field after the battle.

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- Three-Dollar Piece**.—A gold coin of the United States, authorized in 1853. Its coinage was begun the next year and continued till 1890. The weight of the coin was 77.4 grains, and it was legal tender to an unlimited amount.
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- Ticonderoga (N. Y.)**, Capture of.—As soon as the events of Lexington and Concord became known it was decided by the Americans to seize the British fort at Ticonderoga, at the junction of Lakes George and Champlain. The place was garrisoned by 44 men under Capt. Delaplace. On the night of May 10, 1775, Col. Ethan Allen, with other officers and 270 Green Mountain boys, gained an entrance to the fort and Allen demanded its surrender, as traditionally reported, "in the name of the Great Jehovah and the Continental Congress." Finding resistance useless, Delaplace surrendered the garrison and 120 cannon, with muskets, ball, and powder. The surprise was so complete that not a man was lost.
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- Timber-Culture Act**.—An act passed by Congress Mar. 3, 1873, for the promotion of forestry. It granted to settlers 160 acres of treeless land on condition that they plant and cultivate a certain number of forest trees.
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- Toledo, Ohio**, proclamation granting privileges of other ports to, V, 326.
- Toledo War**.—A bloodless dispute between Ohio and Michigan in 1835 over the territory which contained the city of Toledo. Just previous to Michigan's making application for admission to the Union Ohio proposed to assume control of the disputed tract. Michigan passed an ordinance making the occupation of Toledo by Ohio authorities a penal offense and appealed to the Federal Government to sustain the action. The militia were called out on both sides. When armed hostilities became imminent, Michigan was admitted as a State and awarded the Upper Peninsula in exchange for the Toledo tract in dispute.
- Toledo War**, controversy regarding boundary between Ohio and Michigan known as, II, 68, 610; III, 185, 188.
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- Tompkins, Daniel D.**, governor of New York, accounts of, referred to, II, 220, 233, 240.
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- Tonkawa Indians**, agreement between Cherokee Commission and, IX, 203, 214.
- Tonnage Duties**. (See Vessels, Foreign.)
- Topeka Constitution**.—The enactment of the Kansas-Nebraska bill, which, it has been claimed, in effect repealed the Missouri Compromise forbidding slavery north of 36° 30', left the question of slavery to be decided by

Topeka Constitution—Continued.

the people of the Territories before admission. The proslavery and antislavery advocates at once began a struggle for supremacy. Oct. 23, 1855, a constitutional convention representing the antislavery population of Kansas met at Topeka. This convention adopted the boundaries set by the Kansas-Nebraska bill, prohibited slavery after July, 1857, and conferred the right of suffrage on "white male citizens" and on "every civilized male Indian who has adopted the habits of the white man." This convention was dispersed by Federal troops. The bill to admit Kansas into the Union under the provisions of the Topeka constitution was introduced in the House of Representatives by Daniel Mace, of Indiana, Apr. 7, 1856, and in the Senate by Lewis Cass, of Michigan, Mar. 24. The bill passed the House, but failed in the Senate. (See also Leecompton Constitution; Wyandotte Constitution.)

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Tory.—The terms "Whig" and "Tory" had been in use in English politics for a great many years anterior to the American Revolution. The term "Whig" designated the party opposing the royal prerogative and who were generally in favor of reforms; the term "Tory," the party upholding the prerogative and adhering to old institutions. In our colonial days the term "Tory" was applied to those who were adherents of the Crown, and the term "Whig" to the opponents thereof, and so the American sympathizers were known as Whigs, the supporters of England as Tories.

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Town.—A word derived from the Anglo-Saxon word "tun," meaning "a place inclosed." The suffix still clings to the names of many English towns. In the United States the word has a varying signification. In Pennsylvania it is applied to any municipal government. In New York, Wisconsin, and most of the Western States a town is a subdivision of a county, and is often called a township (q. v.), but the town is not necessarily always coextensive with the latter. In New England the town is the unit of civil organization, a county being simply an aggregation of towns.

Town Meeting.—A peculiarly democratic institution of New England and some of the newly formed Western States. It is a meeting of the citizens to legislate for the town,

levy taxes, elect the officers, usually a town clerk, selectmen, a treasurer, assessors, constables, overseers of the poor, and school commissioners. In some of the States the cities, by their aldermen, are authorized to transact the business formerly attended to by the town meeting. That it still has a legal existence was demonstrated as recently as 1881, when the Labor Reform Society of Boston secured a writ of mandamus to compel the city authorities to call a town meeting on petition, as required by its charter.

Towns, Seaport, protection for. (See Defenses, Public, provision for.)

Townsend, E. D., Asst. Adj.-Gen. signed order for release of Clement C. Clay, jr., April 17, 1866.

Townshend Acts.—At the instance of Charles Townshend, chancellor of the exchequer, two acts were passed by the British Parliament providing for the appointment of commissioners to enforce more effectually the laws relating to taxes in the Colonies. They authorized writs of assistance and increased the duties on many articles already taxed, besides imposing others on glass, paper, colors, and tea. The object of these taxes was to support the civil government in the territories.

Township.—In the older United States counties are divided, without reference to their inhabitants, into townships varying in size from 5 to 10 miles square. When in 1802 Col. Mansfield surveyed the Northwest Territory he divided the entire public domain into land districts, made up of a varying number of tracts each 6 miles square. These were called townships. These townships were again divided into 36 equal squares, called sections, of 1 sq. mile each and containing 640 acres. A civil township may include more or less than 1 township in area.

Towson, Nathan, appointment of, to artillery discussed, II, 112.

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Trade Dollar.—A silver coin issued by the United States from 1874 to 1878. It was coined for use in trade with China in competition with the Spanish and Mexican dollars. It was not intended for general circulation in the United States, though it was made a legal tender to the amount of \$5 at the time of issue. The legal-tender provision was repealed in 1876. The weight of the trade dollar was 420 grains, while the standard American silver dollar weighed 412½ grains. An act of Mar. 1, 1887, authorized the Treasurer to redeem in standard silver dollars all trade dollars presented during the following 6 months.

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Trade of Foreign Powers. (See Commerce of Foreign Powers.)

Trade Unions.—Combinations of workingmen to enable each member to secure the conditions most favorable to labor. The accumulations of the capitalist, it is claimed, afford him an advantage which the laborer without association does not possess. The history of trades unionism in America began with the formation of the International Typographical Union in 1852, followed in 1859 by the Machinists and Blacksmiths' International Union and the Iron Moulders' Union of North America, and later by various other unions and organizations. The Knights of Labor, a secret order, was formed in 1869 in Philadelphia. It is in the nature of a trades union and includes all branches of labor. The American Federation of Labor, formed at Columbus, Ohio, in 1886, is one of the largest labor organizations in the world, uniting the trades and occupations in the United States. To it are affiliated 118 national and international unions, representing approximately 27,000 local unions. There are also 11 large national unions not affiliated to the American Federation.

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Treason.—The Constitution of the United States declares that "treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act or on confession in open court" (I, 30). The penalty is death. Conspiracy alone does not constitute treason. A motion to give Congress the sole power of defining the crime of treason failed in the Convention of 1787. An act of Congress of July 17, 1862, provided for the liberation of the slaves of a person convicted of treason. At the close of the Civil War there were no prosecutions for treason. Most of the State constitutions contain provisions similar to that of the National Constitution. A notable instance of treason against a State was Dorr's Rebellion (q. v.) in Rhode Island in 1840-1842. Dorr was convicted, but was pardoned in 1852. A celebrated case of trial for treason is that of Aaron Burr, in 1807, which occurred at Richmond, Va., and resulted in the acquittal of Burr.

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Treasury Board.—Feb. 17, 1776, the Continental Congress appointed a standing committee of 5 members on ways and means.

They were given power over the Treasury office of accounts, the committee of claims, and some minor bureaus and officials. This committee was known as the Treasury Board.

Two years later provision was made for a building in which to transact the business of the board, and the Treasury office of accounts was superseded by a Comptroller, an Auditor, and a Treasurer, thus forming the germ of the present Treasury Department.

The office of Superintendent of Finance (q. v.) was created to take the place of this board in 1781. After a trial of 3 years this office was abolished and the board reestablished and continued until 1789, when it was succeeded by the present Department.

Treasury Building:

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Treasury, Constitutional. (See Constitutional Treasury System.)**Treasury Department.**—After the Department of State the most important executive branch of the National Government. It is more complex and extensive than any other Department, and its head officer, though ranking second to the Secretary of State, is not inferior in influence and responsibility to that Secretary. The Treasury Department was virtually created on February 17, 1776, when the Continental Congress resolved: "That a standing committee of five be appointed for superintending the Treasury." On April 1, of that year a Treasury Office of Accounts was established to be carried on under the direction of the standing committee. On September 26, 1778, Congress established the offices of Comptroller, Auditor, Treasurer, and two Chambers of Accounts, to consist of three commissioners

Treasury Department—Continued.

each, all of whom were to be appointed annually by Congress. On February 11, 1779 the office of Secretary of the Treasury was established (the holder to receive a salary of \$2,000 annually), but on July 30, following, this office was succeeded by a Board of Treasury consisting of five commissioners and an Auditor-General assisted by six Auditors. Again, on February 7, 1781 it was resolved by Congress that the finances of the Confederation should be under a Superintendent of Finance (see Finance, Superintendent of), who was later assisted by a Comptroller, a Treasurer, a Register and Auditors; and on May 24, 1784 the Superintendent of Finance was superseded by the Board of Treasury, consisting of three commissioners. This ended the efforts to organize the Treasury Department under the Confederation. As at present constituted this Department was established on September 2, 1789, during the first session of Congress under the Constitution; and the act, drawn by Alexander Hamilton, was constructed with such precision and comprehensiveness that few radical changes have since been found necessary. The act provided that: "There shall be a Department of the Treasury in which shall be the following officers, namely, a Secretary of the Treasury, to be deemed the head of the Department; a Comptroller; an Auditor; a Treasurer; a Register; and an Assistant to the Secretary of the Treasury. On May 8, 1792 the office of Assistant to the Secretary of the Treasury was superseded by the office of Commissioner of Revenue, whose duties were to collect internal revenue and direct taxes. This office was abolished by an act of Congress April 6, 1802, reestablished July 24, 1813, and again abolished December 23, 1817. The General Land Office, whose head was a Commissioner was created in the Department of the Treasury April 25, 1812 and was transferred to the Department of the Interior in 1849. As at present organized, the work of the Department is divided among nineteen principal offices, bureaus and divisions. As head of the Department the Secretary is charged by law with maintaining the revenue for the support of the public credit; superintending the collecting of the revenue and directing the forms of keeping and rendering public accounts; granting of warrants for all moneys drawn from the Treasury in pursuance of appropriations made by law, and for the payment of moneys into the Treasury; and annually submitting to Congress estimates of the probable revenues and disbursements of the Government. He also controls the construction of public buildings and the coinage and printing of money. There are three Assistant Secretaries. Up to 1817 the Comptroller of the Treasury revised the reports of the Accountants of the other departments, but an act passed March 3, of that year, created the offices of Second, Third, Fourth, and Fifth Auditors, whose duty it was to perform this work. A Sixth Auditor was added in 1836. In 1894, however, the designations and duties of the auditors were changed and definitely established as follows: That of the First Auditor, to Auditor for the Treasury Department; Second Auditor, to Auditor for the War Department; Third Auditor, to Auditor

for the Interior Department; Fourth Auditor, to Auditor for the Navy Department; Fifth Auditor, to Auditor for the State and other Departments; Sixth Auditor, to Auditor for the Post-Office Department. Previous to 1894 the accounts of the various Departments passed from the hands of the auditors to the office of one of the Comptrollers, but since that time the auditors' examination and decision have been final except when formally appealed from. According to the act of 1894 the offices of First and Second Comptroller (the latter was established by the act of 1817) were succeeded by the office of Comptroller of the Treasury whose principal duties are the rendering of decisions in cases of appeals from Auditors, heads of Departments or other officials, and the prescribing of forms for the keeping of public accounts. The Treasurer of the United States, whose office is a part of the Treasury Department, receives and disburses all public moneys deposited in the Treasury, sub-treasuries (q.v.) and in national banks that are United States depositories; is trustee for bonds that secure the national bank circulation and public deposits; has the custody of the Indian trust-fund bonds, and other public trusts; is fiscal agent for paying the interest on the public debt; and is ex-officio commissioner of the sinking fund of the District of Columbia. The duties of the Treasurer's office are distributed among eleven divisions. Until 1894 the chief duty of the Register of the Treasury was the recording of the receipts and expenditures of the Government and the office was organized in several divisions, but in that year the number of divisions was reduced to two, viz., the Division of Loans and the Division of Notes, Coupons and Currency, the books relating to the recording of the receipts and expenditures of the Government being transferred to the Division of Book-keeping and Warrants, of the Secretary's office. At present the office of the Treasurer is charged with the issue, exchange, transfer, and redemption of bonds and the receiving and registering of redeemed notes, certificates, coupons, etc. The office of Comptroller of the Currency was established in 1863, its chief function being supervision of the national banks, their organization, and the issue and redemption of their notes. There have for many years been included in the Treasury Department several offices and divisions whose duties were not germane to the finances of the country. The Secret Service Division was created in 1861, but from 1862 until 1865 it was under the State Department. In the latter year it was permanently organized as a division of the Treasury Department. It is chiefly concerned with the detection of counterfeiting and of other frauds and crimes against the Government, but in time of war the scope of its duties is somewhat enlarged. The office of Supervising Architect, charged chiefly with the erection and maintenance of Government buildings, was created in 1864. Since 1853 this work had been done by a Division of Construction with an officer of the Engineer Corps of the army at its head. The work of the Bureau of Public Health and Marine-Hospital Service was established in 1798 but was reorganized and the office of Surgeon-General created in 1872. This official

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has supervision of the health of seamen, the quarantine service, and the weekly publication of "Public Health Reports of the United States." The Life-Saving Service has existed since 1873, its present organization dating from 1878. Other unrelated offices formerly included in the Treasury Department, that were transferred to the Department of Commerce and Labor on its establishment in 1903, are the Coast and Geodetic Survey, established in 1807; the Steamboat Inspection Service, established in 1871; the Light-House Board, created in 1852; the Bureau of Immigration, established in 1891; and the Bureau of Statistics (q. v.), established in 1866. (For other offices successively transferred from the Treasury Department, see Commerce and Labor, Department of.) Other important offices of the Treasury Department are Commissioner of Internal Revenue, established in 1862; the Bureau of Printing and Engraving; and the Director of the Mint. Following is a list of the Secretaries of the Treasury from the establishment of the Department: Alexander Hamilton, New York; Oliver Wolcott, jr., Connecticut; Samuel Dexter, Massachusetts; Albert Gallatin, Pennsylvania; George W. Campbell, Tennessee; Alexander J. Dallas, Pennsylvania; William H. Crawford, Georgia; Richard Rush, Pennsylvania; Samuel D. Ingham, Pennsylvania; Louis McLane, Delaware; William J. Duane, Pennsylvania; Roger B. Taney, Maryland; Levi Woodbury, New Hampshire; Thomas Ewing, Ohio; Walter Forward, Pennsylvania; John C. Spencer, New York; George M. Bibb, Kentucky; Robert J. Walker, Mississippi; William M. Meredith, Pennsylvania; Thomas Corwin, Ohio; James Guthrie, Kentucky; Howell Cobb, Georgia; Philip F. Thomas, Maryland; John A. Dix, New York; Salmon P. Chase, Ohio; William P. Fessenden, Maine; Hugh McCulloch, Indiana; George S. Boutwell, Massachusetts; William A. Richardson, Massachusetts; Benjamin H. Bristow, Kentucky; Lot M. Morrill, Maine; John Sherman, Ohio; William Windom, Minnesota; Charles J. Folger, New York; Walter Q. Gresham, Indiana; Daniel Manning, New York; Charles S. Fairchild, New York; Charles Foster, Ohio; John G. Carlisle, Kentucky; Lyman J. Gage, Illinois, and Leslie Mortimer Shaw, Iowa.

Treasury Department:

Appropriations for, transferred, III, 35, 185, 395, 555; IV, 51, 90, 272.
Vacancy by death of head of, IX, 133.

Treasury Notes.—To meet the expenses of the War of 1812, \$36,000,000 in Treasury notes bearing 5½ per cent. interest were issued. They were receivable for all dues to the Government, but were not legal tender. Beginning with the panic of 1837 and extending through the Mexican War, \$73,000,000 were issued, and following the panic of 1857 there was an issue of \$53,000,000. The exigencies of the Civil War required the issue of Treasury notes in large amounts. An act of Feb. 25, 1862, authorized the issue of \$150,000,000 of such notes with a legal-tender character and not bearing interest. These were called greenbacks (q. v.). The United States seven-thirties, of which \$830,000,000 were issued, were a variety of Treasury note. Treasury

notes were issued to pay for the monthly purchase of bullion authorized by the Sherman Act of 1890.

Treasury Notes:

Appropriation to meet outstanding, recommended, V, 542.
Issuance of, I, 564; IV, 266.
Additional, discussed, VI, 149.
Recommended, V, 458.
Payment of silver, IX, 646, 744.
Redemption of, referred to, III, 534.
Reissuance of, prohibition on, should be removed, III, 469.
Retirement of, issued in payment of silver purchased under act of 1890 recommended, IX, 646, 744.

Treasury Office of Accounts.—An important bureau under the Treasury Board as established by the Continental Congress. It was presided over by an auditor-general.

Treasury, Secretary of:

Death of, vacancy caused by, how filled, IX, 133.
Power of, over deposits unqualified, III, 8.
Report of, I, 347, 479; II, 69, 83, 203, 231, 341, 343, 346, 535.

Vacancy occasioned by death of, recommendations regarding filling of, IX, 133.

Treasury, Solicitor of, office of, established, II, 527.

Operations of, referred to, IV, 689.

Treaties.—The modern definition of a treaty is an agreement or covenant between two or more nations or sovereignties formally signed by duly authorized commissioners and solemnly ratified by each. In ancient times terms of treaties were dictated rather than contracted. A conqueror with an army at the gates of a capital stated his terms and declared his intention of remaining and inflicting such punishment as he saw fit until he received satisfactory assurances that his wishes would be carried out. In the fifteenth century a jurisprudence of political treaties began to grow and was closely connected with the development of European statecraft. The treaty of Westphalia, which ended the Thirty Years' War, marked the turning point between ancient and modern diplomacy. Up to this time treaty negotiations had been based upon rights which had once existed and were recognized before rupture. After the treaties of Münster and Osnabrück the object of diplomacy was to establish a political equilibrium at the expense of preexistent rights and to maintain the *status quo*. The efforts of European diplomats during the early part of the nineteenth century were directed toward the suppression of the revolutionary spirit and the curbing of monarchical ambitions. Later the maritime rights of neutrals, suppression of slave trade, and the international emancipation of trade, navigation, arts, and labor became leading subjects for diplomatic consideration. The popularity of the principle of arbitration marks the latest step in diplomatic progress. The proposition made by the Czar of Russia in 1898 for the general disarmament of the world and the settlement of international disputes by a court of arbitration points to a culmination of the science of diplomacy. The first treaties of the United States were conceived before the Declaration of Independence was signed. Nov. 29, 1775, the Continental Congress appointed a committee on secret correspond-

Treaties—Continued.

ence, charged with ascertaining whether, if the Colonies should be forced to form themselves into an independent State, France would enter into any treaty or alliance with them. On Feb. 6, 1778, two treaties were concluded in Paris with France—a treaty of alliance and a treaty of amity and commerce. On Oct. 8, 1782, a treaty of amity and commerce was concluded with the Netherlands, and Apr. 3, 1783, a similar treaty with Sweden. On Jan. 20, 1783, an armistice with Great Britain was arranged, followed Sept. 3 by a definitive treaty of peace. Other treaties concluded before the adoption of the Constitution were a treaty of amity and commerce with Prussia, Dec. 10, 1785; a treaty of peace and friendship with Morocco in January, 1787, and a consular convention with France, Nov. 14, 1788. When Washington was called to the Presidency he found the northern frontier of the United States occupied by British military posts and Spain making encroachments on the south. With the outbreak of the French Revolution Spain joined England, and French sympathizers in America were attempting to fit out privateers to prey upon Spanish and English commerce. Washington was urged to cast the fortunes of the United States into one side of the struggle. To avoid any entangling alliances he sent John Jay, Chief Justice of the United States, as a special envoy to London (I, 154). Nov. 19, 1794, Jay concluded the treaty which has since borne his name. In consequence of the irritating conduct of Genêt, the French minister at Washington, Congress in 1798 abrogated the treaties and consular conventions with France. Another treaty was made in 1800, and in 1803 three conventions were signed, including the one ceding Louisiana. One of the most enduring treaties made by the United States was that of Oct. 27, 1795, with Spain, which stood for more than 100 years. This was the only treaty not swept away by the Napoleonic wars. The treaty of Ghent, signed in 1814, was important as settling some disputed boundary questions, as well as concluding peace between the United States and England. No mention was made of the right of search and the impressment of American seamen, though these were the especial causes of the war. Other notable treaties made by the United States were the Webster-Ashburton treaty, signed at Washington in 1842, defining the northeastern boundary between Canada and the United States, and the treaty of Guadalupe Hidalgo, in 1848, concluding the Mexican War, by which Mexico ceded territory now comprising Nevada, Utah, most of Arizona, a large part of New Mexico, parts of Colorado and Wyoming, and all of California. The treaty with Japan in 1854 secured humane treatment for American sailors shipwrecked on the coast of Japan and the right to appoint a consular agent; it also led to the establishment of important trading privileges with the United States and Great Britain in 1858. The treaties of Tientsin, concluded in 1858, and the Burlingame treaty of 1868 opened China to foreign travel and gave protection to Christians within her borders. The treaty of Washington was signed in 1871, and settled questions pending between the United States and Great Britain. It submitted the Ala-

bama claims to a commission of arbitration and adjusted the fisheries question on a reciprocity basis. There was also a concession of important privileges by each to subjects of the other in America, and the question of the northwestern boundary of the United States was submitted to the arbitration of the German Emperor. At the close of the Spanish-American War, in 1898, Spain was forced to relinquish her sovereignty in Cuba and cede to the United States the island of Puerto Rico, together with the Philippine Islands and the island of Guam, in the Ladrones, the United States paying to Spain \$20,000,000. Under the Constitution treaties are made a part of the supreme law of the land and they have a legal status similar to that of contracts. Numerous treaties have been made with the Indians and with various countries on the subject of extradition (q. v.).

Treaties of United States (see also Indians; the several powers):

Alleged violation of, memorial regarding, referred to, IV, 150.

Assent of House to, not required, I, 196.

Boundary survey made under treaty of Washington, VI, 390.

Contract for proposed edition of, referred to, IV, 423.

Power to make, vested in President with consent of Senate, I, 195.

Priority of one over another, law in regard to, I, 314.

Referred to, IV, 688, 690; VIII, 264.

Request of House for correspondence regarding, declined, I, 194.

Return of, requested, VIII, 303.

Withdrawn, VIII, 303, 337.

Trenholm, George A., pardon applied for by, order regarding, VI, 352.

Trent Affair.—In the autumn of 1861 the government of the Confederate States sent J. M. Mason and John Slidell as commissioners to Great Britain and France, respectively. They went first to Havana, where they took passage on the British merchant ship *Trent* for St. Thomas, on their way to England. Nov. 8 the vessel was stopped in the Old Bahama Channel by the U. S. S. *San Jacinto*, Capt. Wilkes. The Confederate commissioners were seized and taken to Boston as prisoners. Wilkes's act was in violation of the rights of neutral nations, for which the United States had always contended. The British Government promptly instructed its minister at Washington to withdraw from the United States unless the prisoners were set at liberty and an apology tendered within 7 days. The United States disavowed the act of Capt. Wilkes and set the prisoners free.

Trent, The, removal of Confederate envoys from. (See Mason and Slidell.)

Trenton, The, loss of, at Samoan Islands, IX, 44.

Trenton (N. J.), Battle of.—Washington's retreat through New Jersey left him with scarcely 3,000 men on the west bank of the Delaware River on Dec. 8, 1776. On the night of Dec. 13 Gen. Charles Lee was taken prisoner at Baskingridge by the British, and his army added to that of Washington gave the latter some 6,000 able-bodied soldiers. On the night of Dec. 25, 1776, Washington, with about 2,500 men, crossed the Delaware River and on the morning of the 26th attacked an outpost of 1,500 Hessians at Tren-

Trenton (N. J.), Battle of—Continued.

ton under Col. Rahl and captured about 1,000 of them and killed 40. The American casualties were 2 killed 2 frozen to death, and 3 wounded. The effect of this victory and that of Princeton following it was electrical. The Americans were uplifted and the British discouraged.

Trescot, William H.:

Mentioned, VII, 609.

Special envoy extraordinary to Peru, Chile, and Bolivia, referred to, VIII, 107.

Trezevant, L., mentioned, I, 281.

Trianon Decree.—A secret edict issued by Napoleon at the Grand Trianon Palace, at Versailles, Aug. 5, 1810. It placed a duty of 50 per cent. on colonial products and ordered the immediate confiscation of all American vessels and merchandise brought into French ports prior to May 1, 1810, the date of the approval of the act excluding French vessels from American waters. It also ordered that until Nov. 1 American vessels were to be allowed to enter French ports, but not to unload without his permission, offering at the same time to revoke the Milan and Berlin decrees Nov. 1. The revocation was not carried into effect, and American ships and cargoes availing themselves of the promised protection were confiscated. (See also Berlin Decrees; Embargo; Milan Decree; Orders in Council.)

Tribunal of Arbitration at Paris:

Acts to give effect to award of, proclaimed, IX, 494, 691.

Award of, discussed and recommendations regarding, IX, 526, 630.

Case of United States at, prepared by John W. Foster, IX, 313.

Convention for settlement of claims under, IX, 665.

Discussed, IX, 437.

Enforcement of regulations in accordance with decision of, referred to, IX, 568.

Failure of negotiations of, to protect fur seals of Alaska, IX, 750.

Reports of agent of United States to, transmitted, IX, 477.

Tribute paid Algeria by United States referred to, I, 123, 182, 337.

Triggs, Julia, act for relief of, vetoed, VIII, 824.

Trimble, Alexandria, demand of Mexico for extradition of, VIII, 204.

Trinidad, vessels from ports of, duties on, suspended by proclamation, VIII, 304; X, 278.

Tripoli.—A province of the Turkish Empire in northern Africa. It is bounded on the north by the Mediterranean Sea, on the east by Egypt, on the west by Tunis and on the south by the Desert of Sahara. Its exports consist mainly of products of the Sudan brought across the Sahara by caravan. The Oasis of Fezzan and some smaller oases are within its borders. It anciently belonged to Carthage and at a later date to Rome. It was overrun and conquered by the Arabs in the seventh century and by the Turks in the sixteenth century. It became an independent State in 1714, but was reconquered by the Turks about 1835. A war occurred between Tripoli and the United States 1801-1805

(q. v.). Area, 398,000 sq. miles, the population is estimated at 1,000,000.

Tripoli:

Blockade of, by United States squadron referred to, I, 400, 401.

Citizens of United States imprisoned in, liberated, I, 385.

Claims of United States against, II, 462.

Corvette on coast of, destroyed by United States vessels, I, 365.

Ex-Bashaw of, treaty with United States relative to restoring family of, to, I, 430.

Hamet Caramalli, appeals of, to United States to place, on throne of, in place of his younger brother, I, 392.

Philadelphia, wreck of the, on coast of, I, 368, 374.

Officers and crew of, fall into hands of citizens of, I, 368.

Treaty with, I, 245, 390.

War with. (See Tripolitan War.)

Tripolitan War.—A war between the United States and Tripoli, 1801-1805. During the latter part of the eighteenth century the United States, following the custom of the leading European nations, paid an annual tribute to the rulers of the various Barbary States as the price of immunity from their piratical depredations. In consequence of a refusal on the part of the United States to increase the tribute the Bashaw of Tripoli, June 10, 1801, declared war (I, 326). In anticipation of this event the United States had already sent a squadron to the Mediterranean. In October, 1803, the frigate *Philadelphia*, Capt. Bainbridge, while chasing a corsair into the harbor of Tripoli, struck a sunken rock and was captured with all on board. Commodore Decatur, of the *Intrepid*, ran his vessel into the harbor of Tripoli on the night of Feb. 16, 1804, and under the fire of the shore batteries burned the *Philadelphia*. Between July and September, 1804, Commodore Edward Preble made a series of attacks on the fortifications of Tripoli. Meantime Gen. William Eaton, United States consul at Tunis, joined Hamet, the rightful Bashaw of Tripoli, in an expedition against his usurping brother. Marching from Egypt across the desert, they took Derne Apr. 27, 1805. The success of this expedition made it possible to extort a highly favorable treaty from the Bashaw June 4, 1805, the United States agreeing to pay \$60,000 ransom for the officers and crew of the *Philadelphia* and Hamet being induced to retire.

Tripolitan War:

Blockade established by United States referred to, I, 400, 401.

Discussed, I, 326, 343, 370, 391, 392.

Establishing blockade, I, 400, 401.

Letter of American consul regarding, transmitted, I, 375.

Treaty of peace transmitted, I, 390.

Trisarre, Mr., mentioned, V, 577.

Trist, N. P.:

Commissioner to Mexico—

Conduct of, discussed, IV, 573, 574.

Dispatches from, referred to, IV, 576, 577.

Recall of, discussed, IV, 573, 574.

Terms of authority given to draw money from Treasury referred to, IV, 576.

Treaty with Mexico concluded by, discussed and recommendations regarding, IV, 573, 574.

Trist, N. P.—Continued

Consul at Havana—

Correspondence regarding slave trade referred to, IV, 56.

Malpractices of, referred to, III, 628.

Troops. (See Army; Militia.)

Troup, Robert, treaty with Indians concluded by, II, 374.

Truman, Benjamin C., report of, on condition of Southern people referred to, VI, 386.

Trust.—In modern commercial usage an organization for the control of several corporations or establishments under one direction or in one combination, the object being to enable the trustees or managers to direct and govern all the corporations or establishments, so as to control and suspend at pleasure the work of any, and thus to reduce expenses, regulate production, and defeat competition. In later years these combinations or trusts have greatly multiplied and increased, both in number and capital involved. The first anti-trust enactment was a provision in the constitution of Georgia, passed in 1877 and directed against the formation of pools among railroads. The Interstate Commerce (q. v.) law passed by Congress in 1887 also prohibited the formation of railroad pools. In 1889 several States passed anti-trust laws, and in 1890 Congress passed what is known as the Sherman Anti-Trust law. This declared combinations in restraint of trade among the several States or with foreign powers illegal and fixed a penalty of \$5,000 or one year's imprisonment. The operation of the Sherman law was not entirely satisfactory, and in 1903, on Attorney-General Knox's recommendation, Congress passed laws for expediting cases instituted under the Sherman Act, made the Interstate Commerce (q. v.) Act more effective and created the Bureau of Corporations in the new Department of Commerce and Labor (q. v.) to investigate corporations other than railroads engaged in interstate or foreign commerce. The decision of the United States Supreme Court, March 14, 1904, in the Northern Securities case prevented the combination of the Great Northern and Northern Pacific Railroads, declaring that a corporation organized to vote the majority of the stocks of the two railroads was not a mere holding company but a combination in restraint of trade, and ordered it dissolved. On July 1, 1905 five corporations and seventeen individuals engaged in the meat packing industry were indicted at Chicago by the Federal Grand Jury for violation of the Sherman Anti-Trust law, and later pleaded guilty and were fined. The largest trust is the United States Steel Corporation, organized in 1901 with a capital of \$1,404,000,000. The total number in 1904 was 793; estimated capital \$14,000,000,000.

Trust Funds:

Discussed, VIII, 335.

Referred to, VIII, 405.

Trusts, evils of monopolies and, discussed and recommendations regarding, VIII, 773; IX, 43, 744; X, 15, 135.

Tuck, Somerville P., report of, regarding French spoliation claims referred to, VIII, 371, 397, 614.

Tucker, Beverly, reward offered for arrest of, VI, 307.

Revoked, VI, 353.

Tucker, Thomas, appointed on committee to meet President Washington, I, 45.

Tudor, William:

Correspondence of, while consul to Peru and chargé d'affaires to Brazil referred to, III, 281, 370.

Mentioned, II, 430.

Tunis.—A French protectorate in northern Africa. It is one of the Barbary States. Tunis is bounded on the north and northeast by the Mediterranean Sea, on the southeast by Tripoli, on the south and southwest by the Desert of Sahara, and on the west by Algeria. It produces grain and fruits (principally dates and olives), and has important fishing interests. It is peopled by Arabs, Berbers, and Jews. Tunis formed a part of ancient Carthage, and later, as Roman Africa, it became the leading seat of Latin Christianity. It passed successively under the dominion of the Vandals, Greeks, and Arabs. It was made a Turkish province in 1575. For a long time it was noted as a piratical State. It became a French protectorate in 1881. Area, 50,840 sq. miles; estimated population, 1,900,000.

Tunis:

Blockade of Tripoli, I, 400, 401.

Claims of, against United States, I, 400, 401.

Condolence of Bey of, on death of President Lincoln, VI, 367.

Consul of United States in, I, 177, 391; II, 264; V, 75.

Convention with, II, 264.

Differences with, unsettled, I, 386.

Gratuity promised to, by United States partially delivered, I, 337.

Peace negotiations with, I, 401.

Questions with, regarding blockade of Tripoli, I, 400, 401.

Relations with, uncertain, I, 407.

Treaty with, I, 200, 263, 371; II, 252, 264, 283.

War with, threatened, I, 400.

Turin, Italy, Hygienic Congress at, VIII, 39.

Turkey.—An Empire with possessions in southeastern Europe, northern Africa, and southwestern Asia. The Asiatic possession include Asia Minor, Armenia, and Khurdestan, Mesopotamia, Syria, and Arabia; and in Africa, Tripoli. Turkey also possesses a nominal sovereignty over Bulgaria, Crete, Cyprus, Samos, Egypt, and Bosnia and Herzegovina. The chief pursuits of the people are agriculture and stock raising. The leading exports are silk, mohair, opium, raisins, wheat, cotton, wool, coffee, skins, oils, fruits, and valonia. The leading religion is Mohammedanism; the Sultan of Turkey being the spiritual head of all believers in the religion of Islam, and, in theory, their temporal ruler also. The power of the Empire began to develop under Osman early in the fourteenth century. Mohammed II overthrew the Byzantine Empire in 1453. The Empire reached the climax of its greatness in the sixteenth century through the conquest of Syria, Egypt, Rhodes, Hungary, etc. The Turks suffered loss at the hands of Austria and Russia in the latter part of the eighteenth and the beginning of the nineteenth century. The total area over which Turkey has actual control is estimated at 1,157,860 sq. miles, with a population of 24,028,900; if the tributary but practically

Turkey—Continued.

independent states are included it brings the area up to 1,622,080 sq. miles with a population of 39,787,640.

Turkey (see also Constantinople):

American citizens—

Agreement respecting rights of, in, proclaimed, VII, 277, 390.

Discussed, VII, 290, 453.

Emigration of, to, for purpose of acquiring lands referred to, VI, 463.

Injuries inflicted upon, in, referred to, IX, 658, 715.

Privileges accorded, in, discussed, VIII, 335.

Steps taken for protection of, in, referred to, VII, 367; VIII, 40.

Treatment of religious and educational establishments of, in, discussed, IX, 317, 638, 715.

American college at Scutari exempted from taxation, IX, 638.

American missionaries in, protection for and treatment of, discussed, VIII, 40, 505; IX, 440, 530, 637, 715.

Anatolia College partially destroyed by mobs in, and indemnity paid for discussed, IX, 440.

Arabian horses brought by Charles Rhind from, referred to, II, 536.

Armenian subjects of—

Cruelties and atrocities committed upon, by, IX, 557, 637, 715.

Investigation of, by American consul discussed, IX, 557, 637.

Referred to, IX, 658.

Obtaining citizenship in United States and returning to, expelled discussed, IX, 440, 530.

Treatment by, of naturalized citizens of United States of Armenian origin, IX, 663.

Capitulations of, referred to, VIII, 12, 77.

Claims of United States against, discussed, IX, 716; X, 112.

Commercial relations with, III, 515. (See also Black Sea.)

Consular courts of United States in, discussed, VI, 151.

Consuls of United States in, exequatur to, refused, IX, 638, 660, 716.

Investigation of atrocities committed on Armenians by, discussed, IX, 557, 637.

Referred to, IX, 658.

Relieved of judicial powers discussed, VII, 238.

Expulsion of Greeks from Constantinople, referred to, V, 241.

Fugitive criminals, convention with, for surrender of, VII, 304, 342.

Immigration of citizens of United States into. (See Immigration.)

Invasion of, by Russia. (See Wars, Foreign.)

Jurisdictional rights of United States in, discussed, VIII, 128; IX, 37; X, 112.

Massacre by Turks in Bulgaria referred to, VII, 422.

Naturalization treaty with, referred to, VII, 304; VIII, 813.

Questions regarding, discussed, VIII, 335, 504; IX, 440, 530; X, 112, 154.

Treatment by, of naturalized citizens of United States of Armenian origin referred to, IX, 663.

Relations with, VIII, 239; X, 154.

Sultan of—

Death of, referred to, III, 533.

Visit of Agent of, to United States referred to, V, 119.

Tariffs of, revision of, participated in by United States, VIII, 172.

Treaty with, transmitted and discussed by President—

Grant, VII, 304, 342.

Jackson, II, 504, 530, 551, 564, 574, 575, 594.

Lincoln, VI, 71, 128.

Construction of, referred to, VII, 43.

Referred to, II, 530.

Termination of, VII, 403.

Sought by, VIII, 335.

War with—

Greece, hope for independence of latter entertained by United States, II, 193, 217, 259, 309, 384.

Russia—

Discussed by President—

Adams, J. Q., II, 407.

Hayes, VII, 466.

Neutrality preserved by United States in, VII, 466.

Threatening aspect of, discussed, II, 193.

Treaty of peace referred to, II, 445.

Turley, John A., act granting pension to widow of, vetoed, VIII, 681.

Turner, Junius T., act for relief of, vetoed, VII, 389.

Objections to bill withdrawn, VII, 389.

Turner, L. C., mentioned, VI, 121.

Turreau, Gen., letter of, concerning arrival of Cuban exiles in United States referred to, I, 471.

Turtle, Thomas, member of Board on Geographic Names, IX, 212.

Turtle Mountain Indians:

Agreement with, for cession of lands, IX, 346.

Referred to, VIII, 797.

Tuscaloosa, Ala., bill to provide for purchase of site and erection of public building at, vetoed, IX, 86.

Tuscany.—A compartimento of the Kingdom of Italy. Tuscany corresponds nearly to the ancient Etruria. It was ruled by the Romans, Goths, Byzantine Greeks, Lombards, and Franks. It became completely disintegrated about the eleventh century, but was afterwards erected into the Grand Duchy of Tuscany. After several changes in its government it was taken by France and became a part of that country about 1808, and was restored to the Hapsburg-Lorraine line in 1814. Tuscany was annexed by Italy in 1860. Area, 9,304 sq. miles; population (1901), 2,548,154.

Tuscany:

Treaty with France, I, 193.

Vessels of, discriminating duties on, suspended by proclamation, III, 233.

Tuscarora Indians.—A tribe of the Iroquois stock of Indians. Their name means "Unwilling to be with others." They early separated from the parent stock and emigrated to the South. They were first known to Europeans on the Neuse River, in North Carolina. In 1711 they attacked the whites and were almost annihilated. The survivors returned to the Iroquois in New York and became one of the Six Nations (q. v.). They number now about 700, about equally divided between New York and Canada.

- Tuscarora Indians**, treaty with, I, 356.
- Tuttle, Joseph**, act granting pension to, vetoed, VIII, 454.
- Tutulla Island**, agreement regarding establishment of naval station in, and protecting dominions of, discussed, VII, 168. (See also Samoan Islands.)
- Twenty-Cent Piece**.—A silver coin of the United States of the weight of 77.16 grains. It was authorized in 1875 and designed principally for use in the Pacific States. It was a legal tender to the amount of \$5. Coinage of it was discontinued in 1878.
- Twiggs, David E.**, swords formerly property of, placed at disposal of Congress, VI, 145.
- Two-Cent Piece**.—A bronze coin of the United States of the weight of 96 grains. It was first issued in 1864, and was the first coin to bear the motto "In God we trust." It was legal tender to the amount of 25 cents. Coinage of the 2-cent piece was discontinued in 1872.
- Two-Penny Act**.—A law passed in 1755 by the Virginia assembly. The principal medium of exchange had up to this time been tobacco, it being considered more substantial than the paper money of the Colony. Under the provisions of the two-penny act, or option law, all debts payable in tobacco were made payable, at the debtor's option, in money of the Colony at the rate of 16s. 8d. per hundredweight of tobacco. This was equivalent to 2d. a pound. On appeal to the Crown the law was vetoed.
- Tygris, The**, satisfaction due for detention of, admitted by Great Britain, IV, 258.
- Tyler and Luckett** (assignees), act for relief of, vetoed, VII, 380.
- Tyler, John** (tenth President United States): Annexation of Texas discussed by. (See Texas.)
- Annual messages of, IV, 74, 194, 257, 334.
- Appointing power of President discussed by, IV, 50, 105.
- Biographical sketch of, IV, 35.
- Commissioner from Virginia to confer with President in effort to prevent war, V, 662.
- Day of fasting and prayer recommended by, in consequence of death of President William Henry Harrison, IV, 32.
- Death of President William Henry Harrison announced to, IV, 22.
- Discretionary power of President over nominations, removals, and other acts discussed by, IV, 50, 88, 105, 220, 227.
- Dorr's Rebellion discussed by, and correspondence regarding, IV, 283, 286, 307.
- Exchequer, plan of, recommended by, IV, 204, 266.
- Finances discussed by, IV, 42, 63, 81, 102, 106, 199, 204, 226, 264, 266, 346.
- Foreign policy discussed by, IV, 37, 196, 211, 307, 316, 318, 323, 337, 340, 353.
- Hawaiian Islands, independence of, desired by United States, and control over, must not pass to foreign power, IV, 211.
- Inaugural address of, IV, 36.
- Internal improvements discussed by, IV, 330.
- Large standing army unnecessary in time of peace, IV, 48.
- Medium of exchange discussed by, IV, 44, 82, 266.
- Monroe doctrine reasserted by, IV, 212.
- Oath of office administered to, IV, 31.
- Peace with all the world the true foundation of our policy, IV, 197.
- Pocket vetoes of, IV, 255, 329.
- Portrait of, IV, 34.
- Powers of Federal and State Governments discussed by, IV, 63, 68, 88, 183, 190, 330.
- Proclamations of—
Extraordinary session of Senate, IV, 367.
Military expedition against Canada, IV, 72.
- Prostration in business referred to by, IV, 204.
- Protest of, to action of House in adopting report assailing official conduct of, IV, 190.
- Request of House for information in possession of, refused, IV, 105, 220, 227.
- Special session message of, IV, 40.
- State banks, measures should be adopted respecting creation of, IV, 46.
- State of the Union discussed by, IV, 74, 194, 257, 334.
- Subtreasury system discussed by, IV, 45, 207.
- System of government discussed by, IV, 335.
- Tariff discussed by, IV, 91, 108, 180, 183, 200, 266.
- Texas, relations with, discussed by. (See Texas.)
- Veto messages of—
Appropriating proceeds of sales of public lands, reasons for applying pocket veto, IV, 225.
Improvement of rivers and harbors, IV, 330.
- Incorporating Fiscal Bank, IV, 63.
- Incorporating Fiscal Corporation, IV, 68.
- Payment of Cherokee certificates, reasons for applying pocket veto, IV, 329.
- Revenue cutters and steamers, IV, 366.
- Tariff bills, IV, 180, 183.
- Protest of President against action of House in adopting report assailing his conduct respecting, IV, 190.
- Testimony in contested-election cases, reasons for applying pocket veto, IV, 255.
- War between Texas and Mexico discussed by. (See Wars, Foreign.)
- Warehousing system recommended by, IV, 200, 266.

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- Uhl, Edwin F.**, Acting Secretary of State, IX, 586.
- Umatilla, The**, rewards to Osette Indians for rescuing, recommended, VIII, 216.
- Umatilla Indians**, treaty with, V, 381.
- Umpqua Indians**, treaty with, V, 229, 303.
- Uncle Sam**.—A personification of the United States Government. Several explanations have been given as to the origin of this expression, but the most plausible is the following: During the War of 1812 Elbert Anderson, an army contractor, bought large quantities of provisions for the Army and had them shipped to himself at Troy, N. Y. The shipping mark was "E. A." above and "U. S." below. One of the inspectors at Troy was Samuel Wilson, popularly known as "Uncle Sam" Wilson. A workman was asked the meaning of the initials "U. S." which at that time were rarely used as an abbreviation for the United States. The

Uncle Sam—Continued.

prompt reply was "Elbert Anderson and Uncle Sam," referring to Sam Wilson. This interpretation became current among the workmen, many of whom afterwards enlisted and communicated the explanation to their comrades from all parts of the country as the mystic cipher elicited inquiry. The story went the rounds of the press and "Uncle Sam" became the popular appellation of the Government.

Uncompahgre Reservation. bill to change boundaries of, vetoed, IX, 87.

Underground Railroad.—A name commonly applied before the Civil War to an arrangement whereby fugitive slaves were assisted to escape to Canada. The idea originated in some one of the Northern States, and the plan consisted in harboring fugitives during the day and at night conducting them to the next "station" till they finally reached the border line. This "railroad" had many branches and the stations were a night's journey apart. The principal routes were from Kentucky, across Virginia and Ohio, and from Maryland through Pennsylvania and New York. This system of aiding escaping slaves was partially organized in 1838, but did not attain its highest activity until the passage of the fugitive-slave law, about 1850. A Quaker, Levi Coffin, the reputed president of the organization, is said to have aided in the escape of a large number of slaves annually for many years. A colored woman named Harriet Tubman is said to have made many journeys North, conducting bands of fugitives.

Union Flags, return of Confederate and, to respective States recommended, VIII, 578. Proposition withdrawn, VIII, 579.

Union Labor Party.—A successor of the Green-back party. It was organized at Cincinnati Feb. 23, 1887, and promulgated a platform embodying the principles of the Knights of Labor. In 1891 it united with the Farmers' Alliance and other elements to form the Populist party.

United Confederate Veterans.—An association the objects and purposes of which are set forth in the constitution as finally adopted at the Houston reunion, May 23, 1895. It is a federation of all associations of Confederate veterans, soldiers and sailors. The purposes are the cultivation of ties of friendship between those who have shared common dangers, sufferings, and privations; the encouragement of the writing, by the participants therein, of narratives, episodes, occurrences, etc., of the Civil War; the collection of authentic data for an impartial history, and the preservation of war relics and mementos, and the record, as far as possible, of every Confederate soldier who is dead; caring for the needy survivors and assisting and protecting Confederate widows and orphans; the erection of enduring monuments and marking with headstones the graves of Confederate dead, and instilling into descendants proper veneration for their fathers. Membership is by camps, and the latter are organized into departments, divisions, and brigades. There are 3 departments—Army of Northern Virginia, Army of the Tennessee, and Army of the Trans-Mississippi. The number of members is about 75,000.

United Labor Party.—A local political party organized in New York City in 1886. It nominated Henry George for mayor on a platform based upon his theory that values arising from the growth of society belong to the community as a whole, and that therefore land values should bear the burden of taxation.

United States.—A Federal Republic composed of 45 States, 4 Territories, and 1 Federal District, together with the outlying territory of Alaska, the island of Puerto Rico, the Hawaiian group, the Philippines, and several small islands. The extreme limits of the continental possessions, excluding Alaska, are included between the parallels of 24° 20' and 49° north latitude and 66° 48' and 124° 32' west longitude. The United States proper is bounded on the north by the British American possessions (separated in part by the St. Lawrence River and the chain of lakes—Ontario, Erie, St. Clair, Huron, and Superior—with their connecting streams); on the east by the Atlantic Ocean; on the south by the Strait of Florida, Gulf of Mexico, and the Republic of Mexico, and on the west by the Pacific Ocean. Alaska, situated in the extreme northwest of the American continent, as well as the insular possessions, is treated of in separate articles (q. v.). The physical characteristics may be said briefly to consist of the Appalachian Mountain system in the eastern part, the Gulf slope on the south, the basin of the Great Lakes on the north, and between them the valleys of the Mississippi, Ohio, and Missouri rivers. West of this great central system of valleys and watersheds is the Rocky Mountain system, approached on the east by extensive treeless plains or prairies. West of the Rockies many fertile valleys diversify the slope of the Pacific. The leading agricultural products are grain, cotton, tobacco, and sugar. The mineral productions include iron, silver, copper, lead, gold, zinc, quicksilver, nickel, aluminum, platinum, antimony, coal, petroleum, natural gas, and mineral waters. It is the first country in the world in the production of steel, pig iron, cotton, wheat, and Indian corn, and among the first in tobacco and sugar. A description and an epitome of the history of the Government are given in the present work. From 1774 to the Declaration of Independence, the title of the country was the "United Colonies." Sept. 9, 1776, the Continental Congress resolved that in all Continental commissions where theretofore the words "United Colonies" had been used the style should thereafter be "United States." The name United States, commonly supposed to have been first used in history in 1776, had been in fact sometimes applied to the European Dutch Republic, composed of what had been during the war for independence in the sixteenth century the United Provinces. The independence of the Government of the United States of America was first recognized by France in 1778. The area of the continental portion of the Republic is 3,025,600 sq. miles; including Alaska, 3,557,000 sq. miles. The population, exclusive of Indians and Alaskans, was, in 1890, 62,622,250; in 1900 the total population was, 76,303,387.

United States (see also States of the Union):

Accounts of, with States. (See States of the Union.)
 Act regarding bringing of suits against, vetoed, IX, 247.
 Admission of States discussed. (See Admission of States.)
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 American system discussed, IV, 654.
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 Attempts made by Great Britain and France to draw, into their contests, I, 449.
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 Canada, relations with. (See Canada, Dominion of.)
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 Capitol of. (See Capitol.)
 Census of. (See Census.)
 Cessions of territory to. (See Annexation.)
 Citizens of. (See Citizens of United States.)
 Civil War in. (See War between the States.)
 Claims of, against foreign powers. (See the several powers.)
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 Citizens against. (See Private Claims against United States.)
 Foreign powers against. (See the several powers.)
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 Foreign intercourse of. (See Foreign Intercourse.)
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 Military expeditions against. (See Illegal Combinations.)
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 Population of. (See Census.)
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Treason, citizens punished for. (See Treason.)

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Troops of. (See Army; Militia.)

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 Essential to liberty, I, 215.

Wars of. (See Algerine War; Indian Wars; Mexican War; Revolutionary War; Spanish-American War; Tripolitan War; War between the States; War of 1812.)

United States, The—A famous frigate of the War of 1812. She was built at Philadelphia in 1797 and carried 44 guns. Oct. 25, 1812, near the island of Madeira, she met and captured the British ship *Macedonian*, also of 44 guns. Of the 300 men on the *Macedonian* 36 were killed and 68 wounded. The loss on the *United States* was 5 killed and 6 wounded.

United States, The:

 Combat with and capture of British frigate *Macedonian*, I, 521.

 French seamen injured by, while firing salute, III, 54.

 Provision should be made for families of III, 54.

United States Bank of Pennsylvania:

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 Suspension of, referred to, III, 551.

United States, European and West Virginia Land Co., agreements entered into with agents of Mexico referred to, VI, 525.

United States Library. (See Library of Congress.)

United States Notes:

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United States vs. Peters.—A case of mandamus decided in February, 1809, by the Supreme Court of the United States, the execution of which was opposed by the State authorities of Pennsylvania, backed by the militia. In the case of *Olmstead et al. vs. Rittenhouse's Executrixes* (q. v.) Judge Peters, of the United States district court for Pennsylvania, decided in favor of the plaintiffs, but refrained, he stated, for prudential reasons, from carrying his judgment into execution. Apr. 2, 1803, a Pennsylvania statute was enacted forbidding the execution of the decree of the Federal court. A mandamus was then asked for against Peters. The Supreme Court granted it, Chief-Justice Marshall declaring that the legislature of a State can not annul the judgment or determine the jurisdiction of a United States court. The execution of the original judgment required the payment of £11,496 9s. 9d., Pennsylvania currency, which had been placed in the custody of the State court. The Pennsylvania officials, with the militia, resisted payment for 26 days, when the marshal assembled a *posse comitatus* of 2,000 men, and the money was paid over without actual collision.

United States vs. Todd.—A case not printed, there having been no reporter at the time. It was possibly the first case in which the United States Supreme Court declared

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a Federal statute unconstitutional. Under an act of Congress passed in 1792 the name of Yale Todd was by the circuit court of Connecticut ordered to be placed upon the pension list. It was afterwards (Feb. 17, 1794) decided by the Supreme Court of the United States that the circuit court could not constitutionally make such a decree, nor could it act in the capacity of a commission not of judicial function.

Universal Expositions. (See Exhibitions.)

Universal Postal Union discussed, VII, 622; VIII, 53; IX, 539, 732.

Universities. (See National University; Seminars of Learning.)

Unlawful Expeditions. (See Illegal Combinations.)

Upper Pend d'Oreille Indians:

Agreement with, for sale of lands, VIII, 153, 192.

Treaty with, V, 380.

Upshur, Abel P., death of, announced and honors to be paid memory of, IV, 279, 333.

Uruguay.—A Republic of South America.

It lies between lat. 30° and 35° south and long. 53° and 58° west. It is bounded on the north by Brazil, on the east by Brazil and the Atlantic Ocean, on the south by the estuary of the Rio de la Plata, and on the west by Argentina (separated by the Uruguay River.) Uruguay is also known as the Banda Oriental. The surface consists of extensive grassy plains, over which roam vast herds of cattle, horses, and sheep that constitute the wealth of the inhabitants. The chief exports are live stock, wool, beef, hides, tallow, extract of beef, wheat, and flax. The government is vested in a President and a parliament consisting of a Senate of 19 members and a Chamber of Representatives numbering 69. The country was first settled by Spanish Jesuits in the seventeenth century. It became an independent State in 1828. Area, 72,210 sq. miles; population (1902), 978,048.

Uruguay:

American citizens aggrieved by acts of, referred to, IV, 161.

Treaty with, V, 167, 182, 280; VII, 118.

Delay in exchange of ratifications of, referred to, V, 382.

Ushur, John P., treaty with Indians concluded by, VI, 193.

Utah.—One of the United States, often called

Deseret, "The land of the honeybee;" motto, "Industry, 1847." It extends from lat. 37° to 42° north and from long. 109° to 114° west. It is bounded on the north by Idaho and Wyoming, on the east by Colorado and Wyoming, on the south by Arizona, and on the west by Nevada. The surface is mountainous and includes part of the Great Basin and the Great Salt Lake. The region formed a part of the territory ceded by Mexico in 1848. Lead and silver mining, smelting, and agriculture are the principal industries. Flour, canned fruit, and dairy products are the chief manufactured products. The first white settlements were made by Mormons in 1847. A Territorial government was organized in 1850. The polygamous practices of the Mormons kept the State out of the Union in spite of persistent agitation. A Constitution, in which polygamy was forbidden was finally approved by Congress and the State was ad-

mitted on January 4, 1896. A large Gentile population has lately gone into the State. Area, 84,970 sq. miles; population (1900), 276,749.

Utah:

Admission of, into Union proclaimed, IX, 688. Affairs in, correspondence regarding, referred to, V, 584, 592.

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- Utah and Northern Railway**, agreement with Shoshone and Bannock Indians for disposal of lands for use of, VIII, 68, 602.
- Failure of railroad to compensate Indians**, VIII, 368.
- Utah Commission** referred to, VIII, 91, 144, 184, 214, 250, 361.
- Utah (Uta, Ute, or Youta) Indians**.—A division of the Shoshonean family of Indians. They formerly occupied the central and western portions of Colorado and the northeastern portion of Utah. The Utahs are divided into about 15 tribes and have been generally friendly to the whites. Some disturbances occurred between them and the Mormons and also the miners of Pikes Peak. In 1865 they ceded large tracts of land to the Government. They now number about 2,800.
- Utah Indians:**
- Agreement with, referred to, VII, 586, 590, 624.
 - Appropriation for Ute Commission recommended, VIII, 85.
 - Negotiations with, referred to, VII, 512, 513.
 - Payments to, referred to, VII, 482, 581.
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 - Treaty with, V, 33; VI, 192, 379, 465, 629.
- Ute Commission**, appropriation for, recommended, VIII, 85.
- Ute Indians**. (See Utah Indians.)
- Utrecht, Peace of**.—A series of 9 treaties, concluded in 1713-14 between the States that had taken part in the War of the Spanish Succession. The treaties were signed at Utrecht, Rastatt, and Baden, and provided for a general rearrangement of domain. Much of the territory parceled out and confirmed by these treaties has been retained by the respective States to the present day. The clauses of particular interest to Americans were those by which France ceded to Great Britain Hudsons Bay and Straits, St. Kitts, Nova Scotia, Newfoundland, and the adjacent islands. Other important provisions of these treaties were: Philip V (of Bourbon) was confirmed King of Spain; the Kingdoms of France and Spain were to remain forever separate; France recognized the Protestant succession in England, and Prussia was recognized as a Kingdom. In addition to the possessions before mentioned, Great Britain received Gibraltar and Minorca. The Spanish Netherlands, Sardinia, the Milanese, and Naples were ceded to Austria. Spain ceded Sicily to Savoy. Prussia received Neuchâtel and parts of Gelderland and renounced its claims to Orange, and Portugal was confirmed in certain South American possessions. A notable clause of the treaty between Great Britain and Spain was the granting to a company of British merchants the exclusive right to send negro slaves to Spanish America.
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- Vaca, Antonio**, private land claim of, VIII, 107.
- Vacancies in Public Offices**, power of President to make provisional appointments to fill, discussed, V, 659.
- Vallandigham Case**.—May 5, 1863, Clement L. Vallandigham, a lawyer and politician of Ohio, was arrested in accordance with orders issued by Gen. Burnside, of the United States Army, commanding the Department of Ohio. On the day following he was taken before a military commission, and subsequently tried, convicted, and imprisoned for uttering opinions disloyal to the Union. May 19 the President commuted this sentence to banishment. Vallandigham applied to the Supreme Court for a writ of certiorari to review the proceedings of the commission, by which he claimed to have been unlawfully convicted. The Supreme Court, Justice Wayne delivering the opinion, decided that it had no power to review proceedings ordered by a general officer of the United States Army. Justices Nelson, Grier and Field concurred; Chief Justice Taney and Justice Miller were not present.
- Valparaíso, Chile**, sailors of the *Baltimore* assaulted at. (See *Baltimore*, The.)
- Van Bokkelen, Mr.**, imprisonment and release of, by Haitien authorities discussed, VIII, 333.
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- Van Buren, Martin** (eighth President United States):
- Annual messages of, III, 373, 483, 529, 602.
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- Vanderbilt, William H.**, deed of trust and correspondence of, respecting swords and testimonials of Gen. Grant offered to Government, VIII, 271, 275.
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- Vaughan, Charles R.**, correspondence regarding northeastern boundary. (See Northeastern Boundary.)
- Venezuela**.—A federal Republic in the northern part of South America. It extends from lat. 1° to 12° north and from long. 60° to 73° west. It is bounded on the north by the Caribbean Sea, on the east by British Guiana and Brazil, on the south by Brazil, and on the west by Colombia. The Venezuelan coast range, a continuation of the Andes, traverses the northern portion. South of this are the llanos of the Orinoco, while south of the Orinoco the land is broken and mountainous. Venezuela was discovered by Columbus in 1498. Coffee, cacao, and tobacco are raised in the mountainous districts, cattle and sheep on the llanos, and gold, silver, and copper are mined in considerable quantities in the mountainous districts. The constitution of the country is modeled after that of the United States, and the administration is vested in a President, elected for 4 years, and a council of 6 ministers. The congress consists of a Senate and a Chamber of Deputies. The Republic has been the scene of frequent revolutions. There are about a dozen states and territories, but their number and limits are frequently changed. In July, 1814, independence was declared and the Republic was recognized in 1818 as a part of the Republic of Colombia. It continued to be a part of Colombia with Ecuador and New Granada until 1829. The conflicting principles of the federalist and centralist parties have led to many civil wars and several changes of the constitution. The boundary question, a source of constant friction between Great Britain and Venezuela, was finally settled by arbitration on October 3, 1899, when about 60,000 sq. miles on the frontier of British Guiana were awarded to Great Britain. During recent years Venezuela has been in constant conflict with various European powers on account of the difficulty experienced in collecting the payment of the debts incurred by the government. In addition to external troubles the internal peace has been disturbed by a succession of civil wars and revolutions. The area amounts to about 450,000 sq. miles; population (1894), 2,444,816.
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Venice, Italy, Geographical Congress at, VIII, 39.

Venus, Transit of. (See Naval Observatory.)

Vera Cruz (Mexico), Siege and Capture of.—

Mar. 9, 1847, Gen. Scott, who had been ordered to Mexico to conduct an expedition against its capital city by way of Vera Cruz, landed a force of 12,000 men on the beach in the vicinity of that port. By Mar. 22 the attacking forces were in position and the siege guns mounted. Gen. Scott summoned the governor of Vera Cruz to surrender. Upon his refusal a bombardment was begun and kept up until the morning of the 26th, when overtures for surrender were made by Gen. Landero. Articles of capitulation were signed Mar. 27. The Mexicans lost nearly 500 pieces of artillery, besides other arms and much ammunition. Five thousand prisoners were taken and paroled, and the best port of Mexico, with its famous and almost impregnable fortress of San Juan de Ulúa, was captured. The American loss was insignificant.

Vera Cruz, Mexico, battle of, referred to, IV, 535.

Vermont.—One of the United States; nickname, "The Green Mountain State;" motto, "Freedom and Unity." It extends from lat. 42° 44' to 45° 1' north and from long. 71° 38' to 73° 25' west. It is bounded on the north by Quebec (Canada), on the east by New Hampshire (separated by the Connecticut River), on the south by Massachusetts, and on the west by New York (separated in part by Lake Champlain). Vermont is traversed from north to south by the Green Mountains. It is an agricultural State and has extensive quarries of marble and granite. The manufacture of wood-pulp is an important industry. It was explored by Champlain in 1609. The first settlement was at Brattleboro in 1724. Vermont was early claimed by both New Hampshire and New York. It was

admitted to the Union in 1791. Area, 9,565 sq. miles; population (1900), 343,641.

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Veto.—The act by which the executive refuses his approval of a measure of the legislative body with which he is associated. The Constitution gives the President of the United States power to veto any act of Congress by refusing to sign the bill after its passage. In the Colonies (except Rhode Island and Connecticut) the governors had power to veto acts of the colonial legislatures. Massachusetts was the first of the original States to grant the veto power to its governor. This was in 1780. In the Convention of 1787 several veto plans were discussed, one of which proposed to associate the Supreme Court with the President in the exercise of the power. The plan finally adopted resembled that in use in Massachusetts. If the President refuses to sign an act, it is returned to the House in which it originated with his reasons for refusing his signature. That House may then proceed to reconsider the act, and if it again passes both Houses with a majority of two-thirds it becomes a law. The Constitution also provides that "if any bill shall not be returned by the President

within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law" (I, 24). The veto power was used quite sparingly by the early Presidents. Following is the number of veto messages sent to Congress by the several Presidents. Those whose names are not mentioned sent no veto: Washington, 2; Madison, 6; Monroe, 1; Jackson, 9; Tyler, 8; Polk, 3; Pierce, 9; Buchanan, 7; Lincoln, 3; Johnson 22; Grant, 46; Hayes, 8; Arthur, 4; Cleveland, first term, 301; Harrison, Benj., 19; Cleveland, second term, 42; McKinley, 6, and Roosevelt, 15.

Veto Messages. (See the several Presidents; the several subjects.)

Veto, Pocket.—The power of the President to prevent the enactment into law of a bill presented to him within 10 days before the adjournment of Congress, without sending in a refusal to sign or his objections in writing, is known as a pocket veto.

Veto Power discussed by President—

Polk, IV, 662.

Taylor, V, 23.

Vetoes, Pension. (See Cleveland, Grover; Grant, Ulysses S.)

Vetoes, Pocket. (See the several Presidents; the several subjects.)

Vice-Admiral.—An honorary rank in the United States Navy created by Congress Dec. 21, 1864, and conferred upon David G. Farragut. At the time of its creation it was the highest grade in the Navy. Two years later (July 25, 1866) Congress created the rank of admiral and bestowed it upon Farragut, making David G. Porter vice-admiral. Oct. 17, 1870, after the death of Admiral Farragut, Porter was promoted to the vacancy and Rear-Admiral Stephen C. Rowan was made vice-admiral. On his death in 1890 the grade became extinct. During the colonial period it was customary for the royal governor to be appointed vice-admiral, which made him head of the colonial admiralty courts. (See also Admiral.)

Vice-Admiral, creation of grade of, recommended, VI, 249; X, 198.

Vice-President of United States.—The Constitution provides for the office of Vice-President. His duty is to preside over the Senate, and in case of the removal, death, resignation, or disability of the President succeed him. His salary is \$8,000 per annum. Until the adoption of the twelfth amendment, in 1804, the candidate for President receiving next to the highest number of votes was declared Vice-President. Five Vice-Presidents have succeeded to the Presidency, by reason of the death of the President, viz: John Tyler, who succeeded William Henry Harrison in 1841; Millard Fillmore, who succeeded Zachary Taylor in 1850; Andrew Johnson, who succeeded Abraham Lincoln in 1865; Chester A. Arthur, who succeeded James A. Garfield in 1881; and Theodore Roosevelt who succeeded William McKinley in 1901. The attempt was made in 1841 to give Tyler only the title and rights of "Acting President," but he claimed the full office of President. Five Vice-Presidents have died in office, namely: George Clinton, Elbridge Gerry, William R. King, Henry Wilson, and

Vice-President of United States—Continued.

Thomas A. Hendricks. Only one resigned, John C. Calhoun. A list of Vice-Presidents follows: John Adams, Massachusetts; Thomas Jefferson, Virginia; Aaron Burr, New York; George Clinton, New York; Elbridge Gerry, Massachusetts; Daniel D. Tompkins, New York; John C. Calhoun, South Carolina; Martin Van Buren, New York; Richard M. Johnson, Kentucky; John Tyler, Virginia; George M. Dallas, Pennsylvania; Millard Fillmore, New York; William R. King, Alabama; John C. Breckenridge, Kentucky; Hannibal Hamlin, Maine; Andrew Johnson, Tennessee; Schuyler Colfax, Indiana; Henry Wilson, Massachusetts; William A. Wheeler, New York; Chester A. Arthur, New York; Thomas A. Hendricks, Indiana; Levi P. Morton, New York; Adlai E. Stevenson, Illinois; Garret A. Hobart, New Jersey; Theodore Roosevelt, New York; Charles Warren Fairbanks, Indiana.

Election of. (See President of United States.)

Vicksburg (Miss.), Siege and Capture of.—

The night after the battle of the Big Black, May 17, 1863, McPherson's and McClernand's corps crossed the river on floating bridges made of bales of cotton covered with plank. Sherman, who carried the only pontoon train in the army, passed over at Bridgeport, a few miles above. The whole army then moved upon Vicksburg. Sherman, still holding the right, marched toward the Yazoo River, and on the 19th rested his right on the Mississippi, within plain view of Porter's gunboats. McPherson followed Sherman with the Seventeenth Army Corps, halting where the latter had turned off. McClernand came up by the Jackson road and deployed to the left. The investment of Vicksburg was thus completed by May 19, 1863. At this time Grant's army was over 30,000 strong. The Federal force was increased to nearly 70,000 during the siege. The Confederate garrison, commanded by Gen. Pemberton, consisted of about 25,000 or 30,000 men and 102 guns. Vicksburg's fortifications were bastioned earth-works. The place was provisioned for about two months. On the afternoon of the 19th Grant ordered a general assault, which was repulsed with a loss to the Federals of 942. Three days later he made another attack, but the assailants succeeded merely in planting their flags on the outer slopes of the bastions. The city was found to be too strong to be taken by assault. The Federal loss on the 22d was 3,199. During the skirmishing on the 18th, 20th, and 21st of May the Union army lost 241 men. Porter assisted materially in these attacks by a constant fire from his gunboats and mortar boats. Pemberton soon began to feel the effects of the siege. By the end of May his meat ration was reduced one-half, and not long thereafter the bacon supply was entirely exhausted. There were no signs of the arrival of reinforcements and 6,000 men lay sick and wounded in the hospitals and private houses. Some of his men had been in the trenches 47 days and nights. Besides, they were now constantly exposed to bursting shells and the fire of sharpshooters. Thus despairing of aid, his resources almost exhausted, the Confederate

commander resolved to capitulate. July 4, 1863, Vicksburg was surrendered to Grant. Gen. Grant accorded magnanimous terms. The entire garrison was paroled and was allowed to depart with rations to last them beyond the Union lines. The results of the campaign were the defeat of the Confederates in several engagements, the occupation of the capital of Mississippi, and the capture of the important post of Vicksburg with its garrison and munitions of war, a loss to the Confederates of over 30,000 prisoners and several thousand killed and wounded. Among the dead were Generals Tracy, Tilghman, and Green. Grant's losses in the campaign, from the first skirmish at Port Gibson, May 1, to the surrender of Vicksburg, were 1,511 killed, 7,396 wounded, and 453 missing—a total of 9,360.

Viel, Mary A., act granting pension to, vetoed, IX, 755.

Vienna, Austria:

International Exposition in, discussed, VII, 188, 236.

International Patent Congress in, VII, 261.

Villere's Plantation (La.), Battle of.—

After the battle of Lake Borgne, La. (q. v.), the British expedition pushed on toward New Orleans by way of the Bayou Bienvenue and Villerés Canal. Dec. 23, 1814, within an hour after hearing that the British were approaching, Jackson had 1,800 of his troops on the march to meet them. Half of the invading army, some 2,500 men, had approached to within 9 miles of New Orleans without serious check. The schooner *Carolina* dropped down the river to a point opposite Villerés and opened a terrible fire upon the invading army, killing or maiming 100 men in 10 minutes. The general engagement lasted about 2 hours. Both combatants retired from the field in the darkness. The loss of the Americans was 213, while that of the British was about 400 men.

Vinton, David H., mentioned, II, 375.

Viollier, Lewis W., consular clerk, removal of, from office and reasons therefor, VII, 113.

Virginia.—One of the thirteen original States; nicknames, "Old Dominion," "Mother of States," "Mother of Presidents;" motto, "Sic semper tyrannis" ("Be it ever thus to tyrants"). Virginia is bounded on the northwest and north by West Virginia (separated by the Alleghany Mountains), on the north and northeast by Maryland and the District of Columbia (separated by the Potomac River), on the east by the Chesapeake Bay and the Atlantic Ocean, on the south by North Carolina and Tennessee, and on the southwest by Kentucky. The county of Accomac lies east of the Chesapeake. Virginia is traversed by the Blue Ridge Mountains from northeast to southwest. It is level toward the southeast. It is one of the foremost States in the Union in the production of tobacco. The State also produces largely wheat, corn, vegetables, fruit, timber, coal, iron, salt, and building stone, and manufactures flour, leather, iron, and tobacco. It was the first settled of the British American Colonies, the settlement having been made by the English at Jamestown in 1607. Virginia became a royal colony in 1624. It was the largest and most influential of the colonies. It took a conspicuous part in the events leading

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up to the Revolution. Virginia ceded to the United States all its territory beyond the Ohio River in 1784. It ratified the Constitution in 1788. This great State furnished 4 of the first 5 Presidents, and altogether 5 of the Presidents of the United States. It seceded from the Union Apr. 17, 1861, and became one of the principal battle grounds of the Civil War. The State was readmitted to the Union in 1870. Area, 42,450 sq. miles; population (1900), 1,854,184.

Virginia (see also Confederate States; Richmond):

Alexandria County retroceded to, by proclamation, IV, 470.

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Mediation of, for settlement of questions threatening Union discussed, V, 661.

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Ratification of amendment to Federal Constitution by, referred to, I, 113, 114, 259.

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Time for submitting constitution to voters proclaimed, VII, 13.

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War between the States, course regarding, pursued by, VI, 23.

Withdrawal of, from Union discussed, VI, 23.

Virginia Coupon Cases.—A series of eight cases in which the United States Supreme Court in 1884 denied the right of a State to pass laws impairing the obligation of contracts. An act of the Virginia legislature in 1871 authorized the receipt of coupons of the State's funded debt in payment of taxes and debts due the State. An act of 1882 required payment of tax dues in "gold, silver, United States Treasury notes, national-bank currency, and nothing else." The tax collectors thereupon refused to accept the coupons in payment of taxes, as authorized by the law of 1871. The court decided the law of 1882 void, and judgment was found for the plaintiff taxpayers.

Virginia Plan.—At the opening of the Convention of 1787 to amend the Articles of Confederation, Edmund Randolph, of Virginia, on behalf of his delegation, set forth the defects in the old articles and submitted a series of 15 resolutions drawn up by Madison. This was the first plan of revision presented to the convention and is sometimes called the "Randolph Plan" or the "National Plan." It provided for representation according to population in two branches of Congress—the first chosen by the people, the second by

the State legislatures; Congressional control of taxation and commerce; Congressional veto of State enactments; an Executive chosen by Congress; a limited veto by the Executive and part of the judiciary upon acts of Congress. There were other and less important provisions. The Constitution as framed and ratified was based on the Virginia plan, but quite a number of its leading features were either rejected altogether or greatly modified.

Virginia Resolutions.—A set of nine resolutions drawn up by James Madison, then a member of the Virginia legislature, passed by that body, and signed by the governor Dec. 24, 1798. The reason for the passage of these resolutions and similar ones by Kentucky about the same time was to give expression to the feeling that had been growing since 1791 that the Federal party was endeavoring to obtain greater power than that conferred upon the Government by the Constitution. The direct cause of their adoption was the passage of the alien and sedition laws (q. v.) by Congress. The resolutions deplored the broad construction given to the Constitution, as tending toward monarchical government. They declared the Union to be a compact between the States composing it, and that when this compact was infringed each State might interpose to protect itself. The alien and sedition laws were denounced as "palpable and alarming infractions of the Constitution." (See also Alien and Sedition Laws; Kentucky Resolutions.)

Virginus, The.—Oct. 31, 1873, the *Virginus*, an American schooner suspected of carrying men and arms from New York to the Cuban insurgents, was captured by the Spanish gunboat *Tornado* on the high seas near Jamaica. Capt. Fry and 35 of the crew and 4 Cuban passengers were executed. The affair created much ill feeling between the United States and Spain. The latter country made such reparation as lay within her power by disclaiming any intention to insult the United States, by paying an indemnity, and by surrendering 102 remaining prisoners. It was proved that the *Virginus* was not entitled to sail under our flag. She foundered at sea off Cape Fear Dec. 19, 1873, while on her way to New York.

Virginus, The, seized by Spanish vessel and citizens of United States on, put to death discussed, VII, 235, 241, 256.

Claims regarding, settled, VII, 322.

Condition of indemnity fund referred to, VIII, 602; IX, 476.

Correspondence regarding, transmitted, VII, 484.

Distribution of indemnity to claimants discussed, VII, 336; VIII, 537.

Orders regarding, VIII, 492; X, 114.

Vizcaya, The, mentioned, X, 92.

Vogelsang, Sophia, act granting pension to, vetoed, VIII, 733.

Volunteers.—Persons who enter the military service of their own free will for temporary duty, as distinguished from regulars of a permanent military establishment. By an act passed in 1792 the American Congress recognized the existence in a number of States of volunteer organizations not included in the militia of those States. The Government has since from time to time

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raised, volunteers for temporary purposes. Such troops are United States rather than State forces, and their officers are to be appointed by the President. A provisional force of 25,000 volunteers was authorized by Congress for the war with England in 1812. During the Mexican War 73,500 volunteers were enlisted. During the Civil War a number of calls were made for volunteers, aggregating nearly 2,800,000 enlistments. In the war with Spain over 200,000 volunteers were enlisted. (See also Militia; Army.)

Von Scholten Maj. Gen., Danish minister to United States, correspondence with Secretary of State referred to, II, 531.

Votes for President, Count of.—The electoral votes of the States are received by the President of the Senate. The two Houses meet in joint session on a day fixed by law, and the President of the Senate opens the returns and hands them to tellers, who count the votes and announce the result. In 1876 two sets of returns were received from certain States. A special electoral commission was appointed by Congress to decide which were the regular returns. In 1887 Congress passed a law providing that contests over electors should be finally decided under State laws, as far as possible.

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Wabash and Erie Canal, grant of land in aid of, to Indiana, III, 508.

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Wadsworth, James S., military governor of District of Columbia, VI, 110.

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Wadsworth, Jeremiah, commissioner to treat with Indians, I, 198, 259.

Wager, Peter, director of Bank of United States, nomination of, and reasons therefor, III, 41.

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Wahpeton Indians, treaty with, VI, 470.

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Wainwright, Richard, thanks of Congress to, recommended, VI, 76.

Walshkey, John, Jr., mentioned, VIII, 78.

Waite, Morrison R., Chief Justice, death of, announced and honors to be paid memory of, VIII, 764.

Wakefield, Va., appropriation for approaches to monument at, to mark birthplace of Washington recommended, VIII, 216.

Walker, John G., chairman of Nicaragua Canal Commission, X, 101.

Walker, Robert J.:

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Governor of Kansas, V, 472.

Walker, William, arrest of, in Nicaragua and complaints arising there from discussed, V, 466.

Referred to, V, 470, 486.

Walker vs. Jennison.—A slave case decided by the Massachusetts supreme court in 1783. It placed a construction upon the State constitution which soon afterwards put an end to slavery in the State. A negro servant had been whipped and imprisoned by his master, and public indignation was aroused by the offense. The owner of the slave was prosecuted. The supreme court, sitting in Worcester, found the defendant guilty of assault and imposed a fine upon him. The holding of the court was that the State constitution of 1870, in declaring all men free and equal, had abolished slavery in Massachusetts. As a matter of strict fact, runaway slaves were advertised for in the Boston newspapers after the decision had been promulgated. Nevertheless, the institution of slavery very soon after 1783 came to an end in Massachusetts.

Walker River Reservation, Nev., right of way for railroad through, VIII, 149, 189, 368, 593.

Walla Walla Indians, treaty with, V, 380, 381.

Wallace, Lewis, member of court to try assassins of President Lincoln, etc., VI, 336.

Wallace, Thomas B., act for relief of, vetoed, VII, 173.

Wallen, George, act granting pension to, vetoed, VIII, 822.

Waller, John L., arrest and imprisonment of, by military authorities of France discussed, IX, 628, 666.

Walsh, R. M., special agent to Santo Domingo, correspondence of, referred to, V, 160.

Walsh, Thomas B., act granting pension to, vetoed, VIII, 817.

Walster, Charles, act granting pension to, vetoed, VIII, 720.

Walter, Squire, act granting pension to, vetoed, VIII, 834.

Walter, Thomas U., architect for extension of Capitol, V, 144.

Walworth, Reuben H., nomination of, as associate justice of Supreme Court withdrawn, IV, 328.

Wampanoag Indians.—A tribe of the Algonquian stock of Indians. Their early habitation was the country to the west of Narragansett Bay. They also ruled the country from the bay to the Atlantic, including the island of Marthas Vineyard. The name means "Eastern lands." The Wampanoags were sometimes styled Pokanokets, after their principal village. They were at first very kindly disposed towards the whites. In 1621 they entered into a friendly compact with the Plymouth settlers, and Massasoit, the chief of the tribe, was on good terms with Roger Williams. They resisted all attempts to convert them to Christianity. Philip, the son of Massasoit, began a war against the whites in 1675, which, after great loss to the whites, resulted in the extermination of the tribe.

Wampum.—An Indian word meaning "white" and referring to strings of white beads worn for ornament and used as a medium of exchange. The beads were made of clam

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shells, through which holes had been drilled, and were strung upon a thread. Tradition says the Narragansets were the first Indians to use wampum. This is perhaps true as regards the beads made of the quahog or clam shell of the coasts of Rhode Island and Connecticut, though periwinkle shells were also used. Its use as money spread from the coast Indians inland. It was also used by the colonists of New England and the Middle States, having been deemed legal tender from 1627 to 1661. Beads of black or dark purple were rated at double the white wampum. Wampum was known to the Dutch settlers under the name of "sewon" or "zeewand." Payments were made by cutting off the desired number of beads. They were also used in the simple arithmetical calculations of the Indians.

Wanderer, The, landing of, with cargo of slaves, V, 534, 555.

War (see also Algerine War; Indian Wars; Mexican War; Revolution; Revolutionary War; Spanish-American War; Tripolitan War; War between the States; War of 1812; Wars, Foreign):

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France recommended, I, 272, 278, 280; III, 192.

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War and Ordnance, Board of.—A board established June 13, 1776, by the Continental Congress on the recommendation of Washington. It was modeled after the English ordnance department and consisted of 5 members of Congress, with John Adams as chairman. The other members were Roger Sherman, Benjamin Harrison, James Wilson, and Edward Rutledge. Richard Peters was elected secretary. The following year (Oct. 17) a Board of War was established, consisting of 3 members, the number being later increased to 5. These were not to be members of Congress. The board had charge of all matters pertaining to war. The original Board of War and Ordnance was continued, however, until 1781, when its business was placed in charge of a Secretary of War. (See also War Department.)

War between the States.—A four years' military conflict between the United States Government and the States adhering to it, on the one side, and the Confederate States Government (composed of the States of South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, Texas, Virginia, Arkansas, North Carolina, and Tennessee) on the other. There was behind the war a constitutional struggle between the North and South, beginning nearly at the time of the formation of the Union and involving principles of politics, differences of origin and cli-

mate, of soil and social conditions, and the general circumstances of peoples who had been steadily drawing apart from the period when by the sword and self-sacrifice they had achieved a common liberty. The contest was unique among modern civil wars, and no ancient conflict between the members of a confederacy of republics was comparable with it, either in the magnitude of the questions involved or in the extent of the operations in the field and the results finally attained. While slavery was the apparent cause, or rather, it should be stated, the occasion, of the War between the States, the real causes were a combination of things inherent in the population, the nature of their surroundings, the structure of their Government, as well as the conditions of life and the objects and aims of a society not homogeneous but variant in many important respects. From the beginning of colonization in British America these differences appeared. The bond, slender in the colonial wars, was scarcely strengthened at the outset of the Revolution, and had distinctly lessened, except among the more cultivated classes, in the years immediately succeeding the peace of 1783. Jealousies between the New England and some of the Southern States well-nigh prevented a permanent union. In the Federal Convention of 1787 it required much mutual concession to avoid a dissolution of the feeble bonds of union. The Constitution as adopted lacked guarantees of perpetual peace and amity between the sections, but the amendments soon afterwards ratified reasonably satisfied the discontent. Discussions in all the early Congresses after the adoption of the Constitution are full of expressions of doubt as to the perpetuity of the federation, uttered by eminent men from New England as well as from other sections, many of whom had been prominent in the work of establishing the new frame of government. The assertion of the State-sovereignty doctrine was not confined to any one section or party, though it has been the custom to assign to the old Republican (now the Democratic) party the origination of this doctrine. The two sets of resolutions of Kentucky and Virginia, adopted in the years 1798 and 1799, which were attributed on good evidence to Jefferson and Madison, respectively, declared the fundamental principles of States rights as clearly and as boldly as they were ever proclaimed at any subsequent period. The report written by Madison and presented to the Virginia legislature has often been referred to as the ablest official exposition of the doctrine that the State is the creator and sovereign component of the Union, and that it may on sufficient grounds withdraw from the compact, the latter having already been infringed and made of no binding effect. It is true that Mr. Madison subsequently denied that this construction could be placed upon the argument in the report. From 1803, the date of the acquisition of the Louisiana territory, to 1811, when the State of Louisiana was admitted into the Union, many New England public men and writers opposed to the extension of the Union, especially on the ground that it seemed to involve the extension of slavery, sometimes avowed secession sentiments. Josiah Quincy, in a speech in Congress in 1811,

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used the threat that the New England States would withdraw in a certain contingency, "peaceably if they can, forcibly if they must." Again, this doctrine of a separable union was advanced by the Hartford Convention (q. v.) in 1814, called by some of the New England States to protest against the continuance of the War of 1812 with Great Britain. When the question of admitting Missouri into the Union as a slave State (1817-1821) was being discussed, threats of disunion if she were refused admission were heard, this time proceeding from the South. In 1828 Congress passed a stringent tariff measure following the protective act of 1824. This was deemed by South Carolina inimical to her business interests. The State legislature called a convention and passed an ordinance of nullification (q. v.), which, however, she subsequently rescinded. As the question of slavery began to overshadow that of the tariff, Northern extremists, called by some "Abolitionists," contended for the overthrow of human bondage, although the Constitution conferred on Congress no power over the domestic institutions of the States. The first struggle occurred on the right of petition. Applications for the admission of new States organized from the public domain added fuel to the fire on both sides of the controversy. The occupation of the Territories by slavery and antislavery partisans kept the people there in a constant state of turmoil bordering on civil war. In the midst of this the John Brown raid (q. v.) occurred. In 1860 Abraham Lincoln was elected President on a platform of resistance to the extension of slavery. South Carolina, through her legislature, called a State convention which, on Dec. 20, 1860, declared that the State was no longer in the Union. Similar action was taken during that winter and the following months by Mississippi, Florida, Alabama, Georgia, Louisiana, Texas, Virginia, Arkansas, North Carolina, and Tennessee. Feb. 4, 1861, delegates from the States that had by that date seceded met at Montgomery, Ala., and organized the government of the Confederate States of America. The forts, military supplies, and provisions within the seceded States were seized, generally with little opposition until the attack on Fort Sumter, in Charleston Harbor, S. C. The war began, so far as military operations were concerned, with the effort of the Government at Washington to relieve the garrison at Fort Sumter and the firing upon that fort by order of the Confederate government. This event occurred Apr. 12-13, 1861. The war practically ended with the surrender of Gen. Robert E. Lee, commander of the Confederate forces, at Appomattox, Va., Apr. 9, 1865, and the subsequent surrender of the armies of Gen. Joseph E. Johnston in North Carolina and of Gen. E. Kirby Smith beyond the Mississippi River. Perhaps as clear a view of the position and attitude of the United States in the war as could be obtained in a few words from an official document is to be derived from the "memorandum" of Secretary of State William H. Seward in regard to the letter addressed to him by the Confederate commissioners Forsyth and Crawford. Although filed earlier, it was delivered Apr. 8, 1861.

In it the fact was stated that President Lincoln coincided generally with the views expressed by the Secretary of State. Frankly confessing, he said, that his understanding of recent events (meaning the attempted secession of the Southern States) was very different from the aspect in which they were presented to Messrs. Forsyth and Crawford, he proceeded, in the third person, to say that "he saw in them not a rightful and accomplished revolution, and an independent nation, with an established government, but rather a perversion of a temporary and partisan excitement to the inconsiderate purposes of an unjustifiable and unconstitutional aggression upon the rights and the authority vested in the Federal Government, and hitherto benignly exercised, as from their very nature they always must so be exercised, for the maintenance of the Union, the preservation of liberty, and the security, peace, welfare, happiness, and aggrandizement of the American people." Disavowing any authority to recognize the commissioners as diplomatic agents, or hold correspondence or other communication with them, Mr. Seward brought the memorandum to a close. President Lincoln in his first inaugural address combated the ideas of the Confederates and held that the States in the Union were in an analogous case with the counties in the States. He believed in the right of coercion, and as to slavery he is quoted as saying that he would save the Union "with or without slavery." The best official exposition of the views of the Confederate people is perhaps to be collected from the constitution of the Confederate States and from the inaugural address and messages of their President. Their constitution was professedly based on the principles of the Federal Constitution of 1787, with the amendments to the same. Its preamble, however, in order to put at rest all argument or dispute, contained the pregnant words, "each state acting in its sovereign and independent character." It was expressly declared that no duties or taxes on importations from foreign nations should be laid to promote or foster any branch of industry. Export duties were allowed to be levied with the concurrence of two-thirds of both houses of congress. Any judicial or other federal officer resident and acting solely within the limits of a particular State was impeachable by two-thirds of both branches of the legislature thereof, as well as by two-thirds of the house of representatives in congress. Internal improvements by the general government were prohibited, except the improvement of harbors and local duties for lights, beacons, and buoys, the expenses to be borne by the navigation facilitated. Citizens of the several States were not permitted to sue each other in the federal courts. It required a two-thirds vote of each house of congress, the senate voting by States, to admit new States. A constitutional convention could meet to consider proposed amendments on the call of any 3 States legally assembled in their several conventions. The vote in convention was to be taken by States and afterwards ratified by the legislatures of two-thirds of the States or by conventions in them. The power of congress over Territories was settled explic-

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itly, and it was provided that "in all such territory the institution of negro slavery * * * shall be recognized and protected by congress and by the Territorial government," etc. The constitution was adopted Mar. 11, 1861. In his inaugural address as provisional president, Feb. 18, 1861, Mr. Davis said in part: "Sustained by the consciousness that the transition from the former Union to the present Confederacy has not proceeded from a disregard on our part of just obligations or any failure to perform any constitutional duty; moved by no interest or passion to invade the rights of others; anxious to cultivate peace and commerce with all nations if we may not hope to avoid war we may at least expect that posterity will acquit us of having needlessly engaged in it. We have changed the constituent parts but not the system of our Government. The Constitution formed by our fathers is that of these Confederate States in their exposition of it, and in the judicial construction it has received we have a light which reveals its true meaning." Some of the principal battles of the war were those of Bull Run, or first Manassas, July 21, 1861; Shiloh, Apr. 6-7, 1862; Antietam, or Sharpsburg, Sept. 17, 1862; Fredericksburg, Dec. 13, 1862; Stone River, or Murfreesboro, Dec. 31, 1862, to Jan. 2, 1863; the Seven Days' Battles around Richmond, June 25 to July 1, 1862; Chancellorsville, May 1-4, 1863; Gettysburg, July 1-3, 1863; Chickamauga, Sept. 19-20, 1863; Wilderness, May 5-7, 1864; Spottsylvania, May 8-18, 1864; Cold Harbor, June 1-12, 1864; Petersburg, June 15-19, 1864, and Five Forks, Apr. 1, 1865. The total number of enlistments in the Union armies was 2,688,523 (VII, 202). The number of enlistments in the Confederate army was between 650,000 and 700,000. The total number of deaths on the Federal side, including those killed in action, those who died of wounds received in action, and from disease and other causes, 9,584 officers and 349,944 men. The cost of the struggle to the United States during the four years was \$6,500,000,000. It is interesting to note in this connection that the cost of the Revolutionary War was \$135,193,703; of the War of 1812, \$107,159,003, and of the Mexican War, \$66,000,000. The public debt of the United States rose from \$90,867,828.68 in July, 1861, to \$2,682,593,026.53 in July, 1865, an increase in 4 years of \$2,591,725,197.85. The results of the war were the restoration of the Union, the emancipation of the slaves, and the several amendments to the Constitution regarding the rights of the new citizens under the new conditions established. For a more detailed account of the causes and history of the war, see the messages of Presidents Buchanan and Lincoln. (See also Abolitionists; Confederate States; Missouri Compromise; Slavery; War between the States; the several battles.)

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War Department, The.—An Executive Department of the Government established by an act of the First Congress under the Constitution, on August 7, 1789. The work then taken up by the Department was begun by the Continental Congress, that body on June 15, 1775, having elected George Washington "to command all the continental forces raised or to be raised for the defense of American liberty." An Adjutant-General, Quartermaster-General, and Commissary-General were also appointed and on December 26 of the following year Congress gave General Washington power to appoint all officers below the grade of Brigadier-General and to fill vacancies in all departments of the American Army. In response to the recommendation of Washington, Congress, on June 13, 1776, created the Board of War (see War and Ordnance, Board of) which was the germ of the modern War Department. The office of Secretary of War was created in 1781 and was filled by Henry Knox from 1784. When the War Department was formally established in 1789 he was made the first Secretary under the Constitution. The office of Adjutant-General was formally created by an act of Congress of March 3, 1813, there having been no regular Adjutant-General from the disbanding of the Army in 1783 up to that time. An act of March 5, 1792 created the dual office of Adjutant and Inspector-General, but on the reorganization of the Department this office was changed to that of Adjutant-General. By an act of Congress approved April 23, 1904 this office was united with the Record and Pension Office to form the office of the Military Secretary. This is the Department of records, orders and correspondence of the army and militia, the Military Secretary being charged with transmitting all orders of the Secretary of War, conducting the recruiting service, etc. The Inspector-General's office was established under the Constitution by an act of March 3, 1813, although in 1777 an Inspector-General of Cavalry, and of Ordnance and Military Manufactures had been appointed. It is the duty of the Inspector-General to inspect all military commands, stations, schools, armories, arsenals, fortifications, and public works carried on by the War Department. The office of Judge-Advocate-General of the Army was created in 1775, was discontinued in 1802, and existed again from 1812 to 1821. An act of March 2, 1849, authorized the President to appoint a Judge-Advocate of the Army, but in 1862 the title was changed to that of Judge-Advocate-General. This office was made head of the Bureau of Military Justice, created June 20, 1864, but by the act of July 5, 1884, the office of Judge-Advocate-General and the Bureau of Military Justice were united under the designation of Judge-Advocate-General's Department, of the War Department. It is the duty of the Judge-Advocate-General to review the proceedings of

all courts-martial, courts of inquiry and military commissions, and give opinions on legal questions arising under laws and regulations pertaining to the War Department. The Quartermaster's office was formally organized in the War Department by an act of Congress of March 28, 1812, although provision had been made for a Quartermaster-General by the Continental Congress as early as June 16, 1775. Various enactments were also made concerning the office up to 1785 when it ceased to exist until, as stated, it was finally organized in 1812. It is the duty of the Quartermaster's Department to furnish the army with military supplies; provide transportation for troops; construct military roads and bridges; maintain national cemeteries; and provide supplies for the militia of the various States. The earliest legislation concerning the subsistence of the army was the resolution of the Continental Congress of June 16, 1775, creating the office of Commissary-General of Stores and Provisions. This office was succeeded on June 10, 1777 by two offices, the Commissary-General of Purchases and the Commissary-General of Issues, which acted under the direction of a committee of Congress until November 25, 1779, when they were placed under the supervision of the War Board. The clothing of the troops was provided for by the ordinance of June 17, 1777, which created the office of Clothier-General, this office being placed under the direction of the War Board on April 10, 1782. An act of the Continental Congress of July 10, 1781 directed the Superintendent of Finance to procure all supplies by contract; and again on March 8, 1792, the Congress under the Constitution placed a similar duty upon the Treasury Department, which had succeeded the Superintendent of Finance. The latter act was repealed on July 16, 1798 and the Secretary of War was required to provide subsistence for the army. An act of March 16, 1802 provided for three military agents to do this work, but this system was abolished by an act of March 28, 1812, which created the office of Commissary-General of Purchases. This in turn was abolished by an act of August 23, 1842, and its duties transferred to the Quartermaster's Department. The office of Commissary-General as it exists today was first established by an act of April 14, 1818, the head of this office being later referred to as Commissary-General of Subsistence. He provides and issues rations, and distributes articles authorized to be kept for sale to the officers and men of the army. An hospital department for the army was created by Congress on July 27, 1775, its head being called Director-General and Chief Physician. By an act of March 3, 1813 the office of Physician and Surgeon-General was created and on April 14, 1818 the medical branch of the War Department was given a permanent head with the title of Surgeon-General. The office of Paymaster-General was provided by the resolution of Congress of June 16, 1775, but on March 23, 1787 it was merged with that of Commissioner of Army Accounts. A Paymaster of the Army was appointed by an act of May 8, 1792, and the Pay Department was definitely organized in the War De-

War Department, The—Continued.

partment under an act of April 24, 1816. The Corps of Engineers was created on March 11, 1779, disbanded in November, 1783, but restored by the acts of May 9, 1794 and March 16, 1802. As early as July 25, 1777, however, there had been a "geographer and surveyor of roads" appointed. By an act of March 3, 1818 the appointment of topographical engineers was authorized, and in August, 1818, a Topographical Bureau was established in the War Department under the direction of the Secretary of War and the Chief Engineer. On July 5, 1838 an independent corps of topographical engineers was created, but by the act of March 3, 1863 it was merged with the Corps of Engineers. Besides those duties germane to its military nature, the Corps of Engineers conducts the river and harbor improvements. To consider ways and means of supplying the continental troops with arms and ammunition, a committee was appointed by the Continental Congress on May 27, 1775; and although a Commissioner of Artillery Stores (later called Commissioner-General of Artillery Stores) was appointed, the business of providing arms and ammunition was conducted by a secret committee of the Continental Congress and the Board of War. An act of April 2, 1794 authorized the President to appoint an officer who, under the War Department, should perform ordnance duty, and on May 14, 1812 the Ordnance Department was formally established in the War Department. By an act of March 2, 1820 it was merged with the artillery but was reorganized as an independent bureau by an act of April 5, 1832. The Signal Corps was practically created June 21, 1860, when Congress authorized the addition of a signal officer to the staff of the army. The Signal Corps, by that name was organized by an act of March 3, 1863. The duties now performed by the Weather Bureau were added to those of the Signal Corps in 1870, but in 1890, that work was transferred to the Department of Agriculture. The Chief Signal Officer has charge of all means of military communication. A Division of Customs and Insular Affairs was established in the War Department in December 1898 for conducting the business relating to the civil government of Cuba, Puerto Rico, and the Philippine Islands. In 1900 the designation of this division was changed by Department orders to that of Division of Insular Affairs, and by an act of July 1, 1902 it was definitely established by law as a bureau of the War Department. To better coordinate the various offices of the Department, the General Staff Corps was established by an act of Congress approved February 14, 1903. It consists of a Chief of Staff, who took the place of the Commanding General of the Army, two general officers detailed by the President from the regular army not below the grade of brigadier-general, and forty-two officers of minor grade similarly detailed by the President. It is the duty of the General Staff Corps to prepare plans for the national defense, and for the mobilization of the military forces in time of war; to assist the Secretary of War in increasing

the efficiency of the military establishment; and in case of war to act as a board of strategy. The Chief of Staff, under the direction of the President, or the Secretary of War under the direction of the President, has supervision of all troops of the line, the Adjutant-General's, Inspector-General's, Judge-Advocate-General's, Quartermaster's, Subsistence, Medical, Pay, and Ordnance departments, the Corps of Engineers, and Signal Corps. In administering the affairs of the Department, the Secretary is aided by an Assistant Secretary, as well as by the chiefs of the various offices, bureaus, divisions and corps named above, who are officers of the regular army of the United States. Two bureaus of the Department not now in existence are: The Bureau of Refugees, Freedmen and Abandoned Lands (1865-1873),* which aided in the work of reconstruction, after the Civil War; and the Bureau of the Provost-Marshal-General (1863-1866), which had to do with the enrolling and calling out of the national forces and the arrest of deserters and spies. (See Army.) The following is a list of the Secretaries of War since the adoption of the Constitution, in 1789: Henry Knox, Massachusetts; Timothy Pickens, Pennsylvania; James McHenry, Maryland; Samuel Dexter, Massachusetts; Roger Griswold, Connecticut; Henry Dearborn, Massachusetts; William Eustis, Massachusetts; John Armstrong, New York; James Monroe, Virginia; Alexander J. Dallas (acting), Pennsylvania; William H. Crawford, Georgia; George Graham, Virginia; John C. Calhoun, South Carolina; James Barbour, Virginia; Peter B. Porter, New York; John H. Eaton, Tennessee; Lewis Cass, Michigan; Benjamin F. Butler (acting), New York; Joel R. Poinsett, South Carolina; John Bell, Tennessee; John McLean, Ohio; John C. Spencer, New York; James M. Porter, Pennsylvania; William Wilkins, Pennsylvania; William L. Marcy, New York; Reverdy Johnson (acting), Maryland; George W. Crawford, Georgia; Winfield Scott, Virginia; Charles M. Conrad, Louisiana; Jefferson Davis, Mississippi; John B. Floyd, Virginia; Joseph Holt, Kentucky; Simon Cameron, Pennsylvania; Edwin M. Stanton, Pennsylvania; Ulysses S. Grant, Illinois; Lorenzo Thomas, Delaware; John M. Schofield, New York; John A. Rawlins, Illinois; William T. Sherman, Ohio; William W. Belknap, Iowa; George M. Robeson (acting), New Jersey; Alphonso Taft, Ohio; J. Donald Cameron, Pennsylvania; George W. McCrary, Iowa; Alexander Ramsey, Minnesota; Robert T. Lincoln, Illinois; William C. Endicott, Massachusetts; Redfield Proctor, Vermont; Stephen B. Elkins, West Virginia; Daniel S. Lamont, New York; Russell A. Alger, Michigan; Elihu Root, New York and William H. Taft, Ohio.

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War of 1812.—In June, 1812, war was declared by the United States against Great Britain. This war grew out of the British orders in council made to destroy the commerce of France and of nations trading with France, the arbitrary impressment of American seamen, and the exercise of the right of search. These orders in council and the Berlin and Milan decrees of Napoleon subjected to capture vessels trading with England and France. Congress passed acts known as the Embargo Act, the Nonintercourse Act, and the Nonimportation Act in an effort to check British aggressions on the commerce of the United States, but they failed of their purpose, and war ensued. The war at first was waged along the Canadian frontier. The Americans suffered some serious reverses the first year in the Northwest. Detroit was surrendered by Hull, and Fort Dearborn, on Lake Michigan, the present site of the city of Chicago, was captured by the British. Detroit was recovered by Perry's splendid victory on Lake Erie in 1813. The military and naval forces of Great Britain were greatly superior to those of the United States. Nevertheless some notable victories were won by the Americans as the war progressed. The Navy especially distinguished itself in a remarkable series of engagements with the enemy's ships. In 1814 the British attacked and captured Washington City and burned the public buildings. The most famous victory won by the Americans in the war was that of Gen. Jackson over

the British commanded by Sir Edward M. Pakenham, Jan. 8, 1815, at New Orleans. This battle was fought 15 days after peace had been declared, but before the news had reached New Orleans. Dec. 24, 1814, by the treaty of Ghent (q. v.), peace was restored. By this treaty several questions pending between the two countries were settled, but the three principal ones, out of which the war grew, were not mentioned. The total number of enlistments in the regular service was 38,187, and in the militia 471,000. The total cost of the War of 1812 was \$107,159,003. The cost of the Revolutionary War was \$135,193,703; of the Mexican War, \$66,000,000.

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Washington.—One of the United States. It extends from lat. $45^{\circ} 40'$ to 49° north, and from long. 117° to $124^{\circ} 44'$ west. It is bounded on the north by the Strait of San Juan de Fuca and British Columbia, on the east by Idaho, on the south by Oregon (partly separated by the Columbia River), and on the west by the Pacific Ocean. The Cascade Range traverses the State from north to south, west of the center. There are extensive forests, particularly in the western part, and the eastern portion produces large quantities of wheat. Gold and silver are also found in paying quantities. Salmon fishing and shipbuilding are important industries. The country was visited as early as 1592. The mouth of the Columbia River was explored in 1792 by Capt. Gray, and further explorations were conducted by Lewis and Clark in 1805. John Jacob Astor founded a trading post at the mouth of the Columbia River in 1811. The State was formed from part of the Oregon region, which was claimed by both England and America for many years. It was organized as a Territory by an act of Congress passed Mar. 2, 1853, and admitted to the Union Nov. 11, 1889 (IX, 25). Area, 69,180 sq. miles; population (1900), 518,103; (1905), 874,310, figures of the State bureau of Statistics. (See also "Fifty-Four Forty or Fight;" Northwestern Boundary; Oregon.)

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Washington City.—The capital of the United States. It is situated in the District of Columbia, on the Potomac River, at the head of navigation, in lat. $38^{\circ} 53'$ north and long. $77^{\circ} 1'$ west. The site for the capital was chosen in 1790 and the seat of government was established at Washington in 1800. Washington is one of the best planned cities in the world, in addition to the usual rectangular arrangement of streets it has a number of fine wide avenues radiating in all directions from both the Capitol and the White House. At their intersections are circles laid out as small parks and most are lined with pleasant shade trees. It contains the principal public

buildings in which the business of the Government is transacted. Besides the Capitol (q. v.) the city contains the official residence of the President, buildings devoted to the various Departments of Government, the Congressional Library, the Smithsonian Institution, National Museum, Naval Observatory, Corcoran Art Gallery, National Soldiers' Home, Washington Monument, and many other objects of national interest. The White House, or Presidential residence, was first occupied by John Adams in 1800. The public buildings were burned by the British in 1814, and more imposing ones erected subsequently. (See also District of Columbia and Capital of United States.) Population, (1900) 278,718 of which 191,532 were white and the residue colored people.

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Washington City (D. C.), Capture of.—After the flight of the Americans from the field of Bladensburg, Aug. 24, 1814, the British army advanced to the plain between the present Congressional Cemetery and the Capitol. Cockburn and Ross, with 200 men, rode into the city in the evening to destroy the public buildings. The unfinished Capitol, containing the Library of Congress, was fired. The President's house, the Treasury building, the arsenal, and barracks for 3,000 men were next burned. In a few hours nothing but the blackened walls remained of the public buildings, the Patent Office alone having been spared. Only such private property as was owned or occupied by persons offensive to the British was destroyed. The President and his chief advisers fled to different points in Virginia and Maryland. Mrs. Madison, the wife of the President, when advised of the defeat at Bladensburg, sent away the silver plate and other valuables from the Presidential mansion and at great personal risk saved from destruction the full-length portrait of Gen. Washington by Gilbert Stuart, which now adorns the Blue Room of the White House. With her sister and brother-in-law she was then conveyed to a place of safety beyond the Potomac. Commodore Tingey, in command at the navy-yard, burned the property under his control to prevent its falling into the hands of the British. The bridge over the Potomac was also destroyed. The total value of property destroyed by British and Americans in Washington was estimated at \$2,000,000. On the

Washington City (D. C.), Capture of—Continued.

night of the 25th Ross and Cockburn withdrew from Washington.

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Washington Monument.—An obelisk-shaped tower of white marble erected at Washington, D. C., in honor of George Washington. The corner stone was laid July 4, 1848, but soon the work languished and then stopped entirely. Work was resumed in 1876, and the monument was finally completed Dec. 6, 1884. It is 555 feet high and 55 feet square at its base. The interior walls are built of granite and contain many memorial stones from foreign nations. The entire cost of the monument was \$1,187,710.

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Washington, Treaties of (see also Alabama Claims; Ashburton Treaty):

Of July 4, 1850, referred to, V, 227.

Of May 8, 1871—

Powers to be invited to accede to rules of neutrality in, VII, 510.

Proclamations regarding, VII, 225, 273.

Report regarding, VII, 132.

Referred to, VI, 390.

Washington, Treaty of.—Many treaties have been negotiated at Washington, but the one usually referred to as the treaty of Washington was negotiated between the United States and Great Britain at that city in 1871. After 34 meetings commissioners of the United States and England concluded a treaty between the two countries to settle pending questions. It was ratified June 17, 1871, and proclaimed to be in force July 4. To adjust the Alabama claims it was agreed to submit them to a tribunal of arbitration, to meet at Geneva, Switzerland, and to consist of members appointed by each of the parties and by three neutral nations. Concerning the difficulties with regard to the fishing privileges of United States vessels on the coast of British America, the treaty adjusted the differences on the basis of the reciprocity treaty of 1854, giving to persons of each nation the right of fishing on the coasts of the other. There was a mutual concession of privileges, such as that of transportation from one place to another in one country across the territory of the other without the payment of duties. Lake Michigan, the lower course of the St. Lawrence, and certain rivers in Alaska were opened to the people of both nations. It was also agreed to submit the disputed boundary line between the British possessions and the State of Washington to the arbitration of the German Emperor, who on Oct. 21, 1872, rendered a decision awarding the island of San Juan and the group of which it forms a part to the United States. (See also Alabama Claims; Geneva Tribunal.)

Washington Turnpike Road Co., act authorizing subscription of stock in, vetoed, II, 493.

Washington's Farewell Address to be read to Army, orders regarding, VI, 105.

Washita River, exploration of, I, 399.

Wasp, The.—An American warship of 18 guns, built at Washington in 1806. Oct. 13, 1812, the *Wasp* left the Delaware for the West

Indies, under Capt. Jacob Jones, with 137 men. Five days later she fell in with 6 merchantmen under convoy of the British brig *Frolic*, 18 guns and 110 men. The *Wasp* attacked, and in less than an hour the *Frolic* struck her colors, after a loss of 90 men. The fight was in a heavy sea. Within 2 hours the *Wasp* and its prize were captured by the British frigate *Poictiers*, 74 guns, and the Americans were sent to Bermuda as prisoners. In 1814 the United States built a naval vessel at Newburyport and christened it the *Wasp*. It was a ship-rigged sloop of war and carried 22 guns and 160 men. Leaving Portsmouth May 1, 1814, under Capt. Johnstone Blakely, she ran into the English Channel to look for British merchantmen. June 28 she encountered the British sloop *Reindeer*, 18 guns and 118 men. In less than half an hour of fierce fighting the *Reindeer* struck her colors, having sustained a loss of 25 killed and 42 wounded. The American loss was 27 in all. Sept. 1, after a fight of about 2 hours, the *Wasp* captured the British brig *Avon*, 18 guns. Oct. 9, in lat. 18° 35' north, long. 30° 10' west, she spoke and boarded the Swedish brig *Adams* and took off Lieut. McKnight and a master's mate of the United States ship *Essex*, on their way from Brazil to England. The *Wasp* was never heard from again.

Wasp, The, engagement of, with the *Frolic*, I, 521.

Wasp, The, mentioned, X, 93.

Wasp, The, refused permission to enter ports of Paraguay by Brazilian blockade commander, VI, 685.

Water Supply. (See Irrigation.)

Water Witch, The, fired upon by Paraguayan fort, V, 449.

Commissioner sent to demand compensation, V, 519.

Demands of, acceded to, V, 560.

Discussed, V, 664.

Naval force sent to Paraguay, V, 519.

Watervliet Arsenal, N. Y., gun factory to be established at, VIII, 789.

Wautauga Association.—June 2, 1769, a company of North Carolina hunters formed an organization to settle the territory to the west of the Cumberland Mountains, which had been opened by the treaty of Fort Stanwix in the previous year. Their settlements were on the Wautauga, one of the tributaries of the Tennessee River, within the limits of what is now the State of Tennessee. The settlers framed a code of laws, which was signed by each of them, and the body politic thus formed was called the Wautauga Association. The tyranny of Governor Tryon, of North Carolina, caused many of the independent-spirited settlers of that Colony to cast their lot with the Wautauga Association. In 1784, at a convention held in Jonesboro, a separate State government was organized under the name of Franklin. (See also Franklin.)

Wayne, Anthony, treaty with Indians concluded by, I, 180.

Waxhaw (S. C.) Massacre.—After the capture of Charleston Sir Henry Clinton sent a detachment of 300 men under Col. Tarleton to disperse Col. Buford's command of 380 men, who, hearing of the fall of Charleston, had retired to a point near the North Carolina line. May 29, 1780, Tarleton, having overtaken Buford at the Waxhaw River, made a

Waxhaw (S. C.), Massacre—Continued.

furious charge, while the Americans were awaiting flags of conference, believing hostilities suspended. Many of the Americans threw down their arms and begged for quarter; 113 were killed on the spot, 150 so badly wounded that it was impossible to move them, and only 53 were taken prisoners. Col. Buford and about 100 infantry and a few horse escaped. The British lost but 5 killed and 15 wounded.

Wea Indians:

Convention with, I, 478, 479.
Treaty with, I, 581, 582; II, 47, 81; V, 242; VI, 69, 518.
Trust lands of, referred to, VI, 199.

Weakley, Robert, commissioner to treat with Indians, nomination of, II, 51.

Weather Bureau.—A bureau of the Department of Agriculture (q. v.). It was first suggested in 1817. In 1819 a cooperative movement was begun and the officers at the various military posts were required to make monthly reports of the weather. In 1870 Congress made an appropriation to establish a weather bureau at Washington and pay for telegraphic communication between posts of observation in different parts of the country. Until 1891 the Bureau remained under the War Department. In July of that year it was transferred to the newly created Department of Agriculture. This Bureau forecasts storms, floods, and all changes in the weather conditions, and publishes such climatic and meteorological data as the public interest seems to demand. It has more than 600 paid employees, who devote their entire time to its service. Its annual cost is more than \$800,000. The annual saving to the agricultural and shipping interests of the country due to the forecasts of the Bureau is believed to be incalculable. The percentage of correct forecasts is about 4 out of 5. In hurricanes from the West Indies it reaches 5 out of 5, or 100 per cent. The headquarters of the Bureau are located in a special building at the National Capital; there are branches at Chicago, Boston, Galveston, Denver, Portland, Ore., and San Francisco, and its officials are stationed at various points throughout the country and in the West Indies.

Weather Bureau:

Discussed, IX, 547, 739; X, 122.
Establishment of, in Department of Agriculture recommended, IX, 52.

Weaver, William A., court-martial of, II, 284.**Weaver, William H.**, act granting pension to, vetoed, VIII, 477.**Weber, Charles**, arrest and imprisonment of, in Mexico, VIII, 91, 105.**Webster, Daniel:**

Correspondence regarding Dorr's Rebellion, IV, 300.
Member of notification committee to wait on President-elect J. Q. Adams, II, 292.
Mentioned, IV, 431.
Secretary of State, I, V, 21; V, 110.
Death of, announced and referred to, V, 162, 163.
Instructions issued to, to treat with Lord Ashburton, IV, 228.

Webster, Joseph D., report and map of survey of Gulf coast by, transmitted, V, 65, 74.

Webster, William, sequestration of lands of, in New Zealand and claim of, against Great Britain, VII, 373; IX, 226.

Weehawken, The, engagement of, with the *Fingal* referred to, VI, 191.**Weighers and Gaugers**, compensation of, referred to, V, 187.**Weights and Measures:**

International bureau of, establishment of, referred to, VII, 485.
International commission upon, at Paris, VII, 608.
International movement for reform of system of, referred to, VI, 394.
Obligatory use of metric system of, referred to, VII, 456.

Referred to, I, 174.

Report of International American Conference on, referred to, IX, 78.

Set of, for each State, III, 258.

Uniformity of, necessity for, I, 66, 68, 83, 108, 576; II, 313.

Weil, Benjamin, claim of, against Mexico, VIII, 110, 173, 397, 402, 608.**Welch, Harriet**, act granting pension to, vetoed, VIII, 441.**Welch, Julia**, act granting pension to, vetoed, VIII, 685.

Weldon Railroad (Va.), Seizure and Destruction of.—June 21, 1864, during Grant's operations against Petersburg and Richmond, an attempt was made to capture the Petersburg and Weldon Railroad, an important supply line for the Confederate army. The Second and Sixth corps, under Generals Birney and Wright, cut the telegraph wires 3 miles south of Petersburg, but were repulsed with a loss of 7 guns and many prisoners. Another and successful effort was made Aug. 18, 1864. Lee had drawn heavily from his forces in Petersburg to resist a threatened attack on the north side of Richmond. The Fifth Army Corps, under Gen. Warren, moved from its position at the extreme left of Grant's army and struck the railroad 4 miles below Petersburg. Mahone's division of Lee's army tried to force Warren back, but he held his position, with a loss, after 3 days' fighting, of 4,543 men. By the 24th 7 miles of railroad were destroyed. Aug. 25 the Second Army Corps and Gregg's cavalry, while at Reams Station destroying the railroad, were assailed. The fighting was desperate and a part of the Union line gave way after losing 5 guns and 2,400 men, three-fourths of whom were missing.

Welland Canal, controversy with Canada respecting tolls upon, discussed, VIII, 626, 628; IX, 240, 243, 314.

Retaliatory measures proclaimed by President Benj. Harrison, IX, 290.

Referred to, IX, 314.

Revoked by proclamation, IX, 377.

Settlement of, referred to, IX, 437.

Wells, Gideon, Secretary of Navy:

Correspondence regarding vacation of office of Secretary of War by Gen. Grant, VI, 606.

Directed to consider applications of loyal persons to remove within Union lines, VI, 159.

Letter of, regarding rank in Marine Corps, VI, 35.

Wells, Daniel H., referred to, V, 504.**Wells, Eugene**, act for relief of, vetoed, IX, 489.

- Welsh, William**, member of Indian commission, VII, 23.
- Wentworth, Joshua**, district supervisor, nomination of, I, 99.
- West, Callie**, act granting pension to, vetoed, VIII, 448.
- West, James H.**, imprisonment of, in Cuba, V, 232.
- West, Lionel Sackville**. (See Sackville, Lord.)
- West, Nathaniel T.**, ensign in Navy, nomination of and reasons therefor, VI, 156.
- West India Company**.—In 1621 the States-General of the United Netherlands chartered the Dutch West India Company. Among other important grants it received from the Government the exclusive right of trading with a large part of the coasts of America and Africa, planting colonies, building forts, employing soldiers and fleets, making treaties, and attacking the colonies and commerce of Spain and Portugal. This company planted the colony of New Netherlands in the United States, as well as the Dutch settlements in Brazil, Guiana, the West Indies, and on the Gold Coast of Africa. In 1674 the company relinquished New Netherlands to the English. Its powerful fleets took many rich prizes on the coasts of Spanish and Portuguese America. In 1624 the projector of the Dutch West India Company obtained a charter from Gustavus Adolphus, of Sweden, granting special trading privileges in America. Under its auspices settlements were made along the Delaware River.
- West Indies** (See also Cuba; Puerto Rico):
Cession of islands in, to United States, treaty regarding, VI, 580, 581.
Discussed, VI, 508, 688.
Commerce of United States, destruction of, by pirates in, discussed, II, 196.
Commercial relations with, II, 249.
Armed vessels stationed for protection of, by, III, 257.
Naval force of United States in, II, 81, 309; V, 141.
Piracy in, II, 189, 196, 418; VI, 579.
Value of, as naval outposts discussed, VI, 579. (See also St. John Island; St. Thomas Island.)
Vessels from Montserrat Island, duties on, suspended by proclamation, VIII, 284.
- West Point, N. Y.**:
Military Academy at. (See Military Academy.)
Military Department of, discontinued, VIII, 126.
- West Virginia**.—One of the United States; nickname, "The Pan Handle State;" motto, "Montani semper liberi" ("Mountaineers are always freemen"). It extends from lat. 37° 12' to 40° 38' north and from long. 77° 40' to 82° 35' west. West Virginia is bounded on the northwest by Ohio (separated by the Ohio River), on the north by Maryland and Pennsylvania (separated from the former by the Potomac), on the east and south by Virginia, and on the west by Kentucky (separated by the Big Sandy River). The State is hilly or mountainous and contains abundance of timber and coal, being, in fact, one of the leading States in the production of the latter. Of the manufacturing interests the iron and steel industry, confined almost entirely to Wheeling, is the most important. It was originally a part of Virginia. When that State adopted the ordinance of secession, Apr. 17, 1861, many of the people of the western and northwestern parts of the State claimed that they were not to be bound by that action. A convention was called in 1861, which resolved not to recognize the State officers who were in opposition to the National Government. This convention elected Francis H. Pierpoint governor of Virginia and called a legislature to meet at Wheeling. It also voted to erect a new State, called Kanawha, and the legislature which was called by the convention voted to recognize the new State. It was admitted to the Union as the State of West Virginia June 19, 1863 (VI, 167). Area, 24,780 sq. miles; population (1900), 958,800.
- West Virginia** (see also Clarksburg):
Admission of, into Union proclaimed, VI, 167.
Unlawful combinations in, discussed and proclamation regarding, VII, 447, 472.
- Westcott, Hampton**, lieutenant in Navy, nomination of, and reasons therefor, II, 563.
- Western Reserve**.—The charters of most of the original Colonies granted territory extending from the Atlantic to the Pacific Ocean. After the Revolution the unsettled western portions were ceded to the General Government. When Connecticut made her cession the State reserved a tract of land between the forty-first parallel of latitude and Lake Erie as a foundation for her school fund. It extended 120 miles westward from the Pennsylvania boundary line, and contained 3,666,291 acres, afterwards included in Ohio. An act of Congress in 1800 authorized the President to deed to Connecticut the title to this Western Reserve, to quiet titles of settlers, on condition that the State surrender all claims to its jurisdiction. On the admission of Ohio as a State Connecticut lost all interest in the territory. The tract was settled largely by Connecticut people.
- Western Territory**, instructions to governor of, regarding employment of militia against Indians, X, 81.
- Wetmore, Prosper M.**, naval agent, accounts of, referred to, V, 146.
- Weyler, Valeriano**, reconcentration policy of, in Cuba discussed, X, 31, 58, 59, 83.
Referred to, X, 60.
- Whale Fisheries**, papers for vessels engaged in, referred to, III, 557.
- Wharton, William F.**, Acting Secretary of State, IX, 146.
Agreement between United States and Great Britain for *modus vivendi* regarding Bering Sea fisheries signed by, IX, 146.
- Wheaton, Henry**:
Referred to, IV, 352.
Treaty concluded by, with—
Denmark II, 481.
Zollverein, IV, 316.
- Wheaton, William B.**, act for relief of Charles H. Chamberlain and, vetoed, VIII, 818.
- Wheeler, Joseph**, operations of cavalry division under, around Santiago, Cuba, discussed, X, 170.
- Wheeler, William H.**, act for relief of, reasons for applying pocket veto to, VIII, 487.
- Wheelock, John E.**, arrest and imprisonment of, in Venezuela, VIII, 202, 216.

Whig.—A name taken by the political party in the American Colonies which favored the Revolution, as opposed to the Tories, who advocated adherence to the mother country. The name was first used in Great Britain to designate those Scotch Covenanters whose rebellion in 1699 led to the fixing the name upon any opponents of the court. The term as generally used in America, however, refers to the political party in the United States which began to develop toward the end of John Quincy Adams's Administration, favoring a national bank, a protective tariff, a system of internal improvements, and in general holding to a latitudinarian construction of the Constitution. They were at first called National Republicans, and those who opposed them were known as Democratic Republicans. After the defeat of Adams, in 1828, Henry Clay became the leader of the National Republicans. The party took the name of Whig in 1834, and in 1836, failing to unite on any candidate of their own for the Presidency, Martin Van Buren was elected by the opposition. In 1840 the Whigs elected William Henry Harrison. After the death of Harrison they quarreled with Vice-President Tyler, who had succeeded Harrison as President and had vetoed the fiscal measures passed by the Whig Congress. In 1844 they nominated Henry Clay for the Presidency, but he was defeated by James K. Polk. The annexation of Texas, the Mexican War, the Wilmot Proviso, and other phases of the slavery question caused serious dissensions in the Whig party, but they preserved their power for another term by nominating a military candidate in the person of Zachary Taylor. He was elected, but the disintegration of the Whig party had begun. Many of the Northern Whigs became Free Soilers, and by 1856 Republicans, while many temporarily joined the American or Know-Nothing party. Large numbers of the Southern Whigs became Democrats. The factions of the old party united and nominated Winfield Scott for President in 1852, but he was defeated by Franklin Pierce. A small number of Whigs formed the Constitutional Union party and nominated Bell and Everett in 1860. Besides those already mentioned, the chief leaders of the party in the North were Webster, Winthrop, Choate, Seward, Greeley, and Weed; in the South, Mangum, Badger, Bell, Berrien, Forsyth, Stephens, Toombs, Prentiss, and Crittenden, and in the West, Giddings, Ewing, and Corwin.

Whipple, John.—correspondence regarding Dorr's Rebellion, IV, 287, 288.

Whisky Insurrection.—A revolt against the enforcement of a Federal excise law by the people of 4 counties of western Pennsylvania. The Constitution gives Congress power to lay and collect excise taxes. The first bill for an excise law was defeated in Congress June 21, 1790. The project was revived the following year, and the first excise law was passed Mar. 3, 1791. The Senators from Pennsylvania were instructed by their legislature to oppose the law, "established on principles subversive of peace, liberty, and the rights of citizens." In Pennsylvania the law was violently opposed by one Bradford and his followers and condemned by more peaceable and reflecting citizens, following the lead of Albert Gallatin, after-

wards Secretary of the Treasury, minister to France, envoy extraordinary to England, etc., and William Findley and John Smiley, members of Congress. Numerous meetings were held to protest against this law, which bore with particular force upon the settlers of western Pennsylvania because of their isolated position, distance from the seaboard, and the scarcity of money in that region. In response to repeated protests Congress on May 8, 1792, passed an act reducing the duties on whisky, but, on account of the threatening attitude of some of the settlers, empowering the President to use militia in suppressing disturbances within a State. The agents of the Government sent to collect the excise having been maltreated and driven from the country and the marshals refused office room and assistance in serving writs, President Washington, by a proclamation of Sept. 15, 1792 (I, 124), called upon the citizens to abandon their unlawful proceedings. Instead of complying, resistance to the service of writs continued and the officers were tarred and feathered. Aug. 1, 1794, a mass meeting of 7,000 armed insurgents was held on Braddock's Field, a county judge presiding, with Albert Gallatin as secretary and Bradford as the leading spirit. An emergency had now arisen. Governor Mifflin, of Pennsylvania, having declined to take the initiative, a certificate of the existence of an insurrection was obtained from a Federal judge, and on Aug. 7, 1794, President Washington again called upon the insurgents to disperse and retire peaceably to their homes on or before Sept. 1, 1794 (I, 158). This warning was unheeded and was followed by a third proclamation on Sept. 25, 1794 (I, 161). A requisition for 15,000 militia was issued to the governors of Pennsylvania, Virginia, Maryland, and New Jersey. A Federal commission of 3 and a State commission of 2 preceded the troops with offers of amnesty on full submission. Bradford urged armed resistance, Gallatin counseled submission. Washington accompanied the troops, which were in command of Governor Lee, of Virginia, as far as Carlisle. Alexander Hamilton, then Secretary of the Treasury, accompanied the expedition to the scene of disorder. The troops arrived in the rebellious district early in November. After giving the people time to obey the President's proclamation, Lee's forces arrested many of those who failed to accept the proffered amnesty. Bradford and the more violent leaders escaped. Those captured were tried, convicted, and later pardoned by the President. The first show of Federal force had suppressed the insurrection.

Whisky Insurrection (see also Pennsylvania, insurrections in):

Discussed, I, 162, 158, 170.

Pardon granted insurgents, I, 181.

Referred to, I, 184.

Proclamations against, I, 124, 158, 161.

Whisky Ring.—A conspiracy of distillers and United States officials formed in St. Louis, Mo., in 1872 to defraud the Government of internal-revenue taxes. By 1874 the ring had attained national proportions, with branches in Milwaukee, Chicago, Peoria, St. Louis, Cincinnati, New Orleans, San Francisco, and Washington. Distillers who refused to

Whisky Ring—Continued.

enter the combination were trapped into technical violations of the revenue laws, and when made liable to seizure they were given their choice between ruin and surrender to the ring. The combination became so powerful that when Secretary Bristow ordered a transfer of supervisors, which would have thrown the ring into confusion, their agents at Washington procured a countermand of the order from President Grant. After diligent effort evidence was obtained against the distillers and revenue agents. Upon this evidence the Government seized \$3,500,000 worth of property and procured indictments against 238 persons. It was shown that the Treasury had been defrauded of \$1,650,000 between July 1, 1874, and May 1, 1875. When the papers were laid before President Grant he indorsed them with order to "let no guilty man escape." The most important convictions were those of John A. Joyce, special revenue agent; John McDonald, supervisor, and William O. Avery, chief clerk in the Treasury Department.

Whitaker, William B., defalcation of, VII, 484.

Whitby, Henry, British officer, proclamation for arrest of, for murder of American citizen, I, 402.

White, Alexander, commissioner of Washington City, I, 314.

White, James C., act granting pension to, vetoed, VIII, 704.

White, Joseph L., counsel of ship canal company, V, 140.

White, Joseph M., employment of, to compile land laws in Florida, II, 428.

White, Rollin, act for relief of, vetoed, VII, 80.

White, William, imprisonment of, in Buenos Ayres, II, 63.

White House. (See Executive Mansion.)

White Leagues referred to, VII, 297. (See also Ku-Klux Klan.)

White Plains (N. Y.), Battle of.—After the battle of Harlem Heights, in which Washington was enabled to maintain his ground in the face of the British attack, Gen. Howe's war ships advanced up the East River and landed troops at Frogs Point (now Throggs Neck). His purpose was to gain a position in Washington's rear and thus cut him off from communication with his army outside of New York. About 4,000 British were sent to dislodge some 1,400 Americans who were entrenched on Chatterton Hill. After a short and sharp skirmish the Americans fell back in good order to the main body of the army, having lost but little more than half as many as their opponents. The American loss is variously stated at from 125 to 200, while the lowest official estimate of the British loss places it at 231. The following night Washington retired to a much stronger position about 5 miles north and Howe withdrew to Dobbs Ferry.

Whitehall, N. Y., proclamation granting privileges of other ports to, IV, 690.

Whitely, Simeon, treaty with Indians concluded by, VI, 192.

Whiting, Joseph B., member of Chippewa Commission, IX, 65.

Whittlesey, Elisha, commissioner to adjudicate claims of David Taylor, V, 142.

Wichita Indians:

Agreement between Cherokee Commission and, IX, 203, 213, 236.

Lands of, title to, referred to, VIII, 191.

Wilbur, James M., act authorizing settlement of account of, vetoed, VIII, 728.

Wilder, W. C., member of commission concluding treaty of annexation of Hawaiian Islands, IX, 348.

Wilderness (Va.), Battle of.—The rank of lieutenant-general was revived on Mar. 2, 1864, and on the 9th of that month it was conferred upon Gen. Grant, who was given the command, under the President, of all the armies of the United States. The plan of campaign agreed upon between Grant and Sherman was to make a simultaneous advance against Lee's army in Virginia and that of Johnston in Georgia. Meade was left in control of the Army of the Potomac and Sheridan placed in command of the cavalry in Virginia. Gen. B. F. Butler was made commander of the Army of the James, consisting of 38,648 men and 90 guns. May 4, 1864, Grant crossed the Rapidan with the Army of the Potomac, aggregating on May 1, according to the report of the Secretary of War, 120,380 men and 316 guns. The Ninth Corps, 20,780 in number, was subsequently added. Lee lay on the south bank of the Rapidan with 63,984 men. The Confederate position was in the midst of a wilderness of scraggy oak, sassafras, hazel, and pine. It is a region of worn-out tobacco fields, and lies directly west of the battle field of Chancellorsville. It was not Grant's intention to fight Lee there, but the Confederate attack early on the 5th compelled it. Lee gained ground in the two days' fighting. The battle was a bloody bush fight. More than 200,000 men fought in a vast jungle. Grant's loss amounted to over 20,000, of whom 5,000 were made prisoners. The Confederate loss was about 10,000. Grant now resolved to turn Lee's left flank and put his army between the latter and Richmond. On the night of the 7th the Federal army took up the march toward Spottsylvania Court-House. On the morning of the 8th of May the men of the opposing forces arrived almost at the same moment at the Court-House. Then occurred the great battle of Spottsylvania (q. v.).

Wildfire, The, capture of, by the *Mohawk*, V, 593.

Wilkes, Charles:

Commander of exploring expedition, report of, on Oregon Territory referred to, IV, 160.

Removal of Mason and Slidell from British vessel. (See Mason and Slidell.)

Wilkes's Exploring Expedition, expenditures of publication of, referred to, V, 537.

Wilkinson, James:

Aaron Burr's insurrection, troops sent to suppress, commanded by, I, 413.

Conduct and commercial transactions of, investigated, I, 435.

No intimation found of corrupt receipt of money by, I, 439.

Expeditions against Wabash Indians commanded by, I, 112.

Mentioned, I, 417.

Willamette Valley, etc., Wagon Road Co., lands granted to Oregon for, referred to, VIII, 78.

- Willecox, Orlando B.**, negotiations for and correspondence regarding restoration of peace, VI, 262.
- William I.**, Emperor of Germany, death of, referred to, VIII, 782.
- William, The**, captured with African negroes on board, V, 595.
- William and Francis, The**, satisfaction to be allowed by Great Britain for detention of, IV, 258.
- Williams, Eleazer**, mentioned, II, 398.
- Williams, Eli**, commissioner for Cumberland road, I, 418.
- Williams, George H.**, member of commission to settle questions with Great Britain, VII, 121.
- Williams, John S.**, act granting pension to, vetoed, VIII, 427.
- Williams, Jonathan**, death of Gen. Washington announced and honors to be paid memory of, were signed by as Aid-de-Camp.
- Williams, Robert**, bureau of military information under supervision of, discussed, IX, 447.
- Williams, S. W.**, decree of, prohibiting steamers sailing under American flag from using channel on Yangtse River discussed, VI, 698, 704.
- Williams, Stephen**, act for relief of, vetoed, VIII, 836.
- Williamsburg (Va.), Battle of.**—As soon as it was discovered that the Confederates had withdrawn from Yorktown (May 5, 1862) a column was sent in pursuit. It came up with the retreating rear guard at Williamsburg. The Confederates had been reeaftered from Johnston's army at Richmond. Longstreet's division, having passed beyond the town retraced its steps to resist the attack. Hooker, of Heintzelman's division, and Smith, of Keyes's, bore the brunt of the assault, fighting from morning till late in the afternoon, vainly calling for reinforcements. The arrival of Kearny's division about 4 p. m. caused the Confederates to retire toward Richmond. The Federal loss was 2,228 men, of whom 456 were killed. The Confederate loss was 1,560, of whom 288 were killed.
- Williamson's Farm (S. C.), Battle of.**—One of the minor skirmishes of the Revolutionary War in the South and the first disaster to the British arms after the capture of Charleston. July 12, 1780, Capt. Houk, with 115 British and Tories, was sent from the garrison at Rocky Mount to collect militia and drive back the Americans. Thomas Sumter, with 75 men, surprised and captured them. Capt. Houk was killed in the fight.
- Willis, Albert S.**, minister to Hawaiian Islands. (See Hawaiian Islands, minister, to.)
- Willis, Jesse H.**, collector of customs, nomination of, II, 426.
- Willman, Henry**, act for relief of, vetoed, VII, 125.
- Wilmington, The**, attempts of, to silence batteries at Cardenas, Cuba, X, 91. (See also X, 77.)
- Wilmot Proviso.**—President Polk, in a special message Aug. 8, 1846 (IV, 459), made a request of Congress for money to adjust the boundary between Mexico and the United States by the purchase of certain Mexican territory outside of Texas. In accordance with this request a bill was introduced into the House appropriating \$2,000,000 for the purpose. David Wilmot, a Democrat from Pennsylvania, offered an amendment which provided "that neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted." This was the Wilmot Proviso. The bill as amended passed the House, but failed in the Senate. Early the next year another bill passed the House, appropriating \$3,000,000 for the same purpose, with the Wilmot amendment attached, but the amendment was omitted in the Senate.
- Wilson, Alfred M.**, member of Cherokee Commission, IX, 46.
- Wilson, Andrew J.**, act granting pension to, vetoed, VIII, 450.
- Wilson, C. B.**, act for relief of, vetoed, VIII, 816.
- Wilson, H. B.** (administrator), act for relief of, vetoed, VIII, 651.
- Wilson, Henry**, Vice-President, death of, announced and honors to be paid memory of, VII, 331.
- Wilson, John M.**, Puerto Rican expedition reenforced by division of, X, 93.
- Wilsons Creek (Mo.), Battle of.**—During the summer of 1861 Confederate troops in large numbers were sent into Missouri from Arkansas, Louisiana, and Texas. Gen. Lyon was stationed at Springfield with 5,500 Federal troops. The Confederates, 20,000 strong, advanced in 2 columns under McCulloch and Price. During the night of Aug. 9, 1861, Sigel was sent with 1,500 men to attack the Confederate rear, 9 miles distant, at Wilsons Creek, while Lyon attacked the front. Both attacks were repulsed. Sigel lost 5 of his 6 guns and more than half of his men. Lyon was killed while leading a charge. The Federal loss was 1,246 in killed, wounded, and missing. The Confederate loss was about the same.
- Winchester (Va.), Battles at.**—Winchester and its vicinity was the scene of several engagements during the War between the States. It is located in the Shenandoah Valley, and was on the line of the two armies as they marched and countermarched through the valley. An engagement occurred at Kernstown, near Winchester, Mar. 23, 1862, the Federals under the command of Shields and Kimball, and the Confederates under Jackson. In killed, wounded, and missing the Federals lost 590 and the Confederates 718. Jackson retreated to his main force. In May, 1862, the Federals under Banks were posted at Harrisonburg, in the valley. Banks was about to be attacked by the Confederates under Jackson, when he retired down the valley to the heights of Winchester, where on May 24 he gave battle. Being assailed on both flanks, he retreated rapidly on the 25th to the north bank of the Potomac, making the distance, about 50 miles, in 48 hours. He was pursued by Jackson to near Harpers Ferry. Again, June 15, 1863, the Federals under Milroy were encamped near Winchester, numbering about 7,000, which force was deemed sufficient to hold the place against all the Confederates known to be in the valley. On that day Milroy found himself almost surrounded by the combined corps of Longstreet and Ewell. An artillery fight was maintained all day and at night the divided and scattered troops of Milroy retreated to the Potomac River, having lost 4,000 men, 28 guns, about 300 horses, and a large number of wagons. The Confederate loss was insignificant. A small force of Fed-

Winchester (Va.), Battles at—Continued.

erals under Averell was attacked by the Confederates under Early near Winchester July 12, 1864. The Confederates defeated the Federals, who lost 3 guns and about 400 men. Early then marched on Chambersburg, Pa. In August, 1864, Sheridan took command of the Federal army in the valley, known as the Army of the Shenandoah. The Confederates under Early were encamped on the west bank of Opequan Creek, covering Winchester. They were attacked on Sept. 19 by Sheridan. The battle began about 10 a. m. and was maintained till nearly 3 p. m., when the Confederates retreated to and beyond Winchester. Sheridan took 2,500 prisoners and found 2,000 wounded in the hospitals at Winchester. The Confederate loss in all reached 5,500 while the Federal loss was 653 killed, 3,719 wounded and 618 missing—a total of 4,990. This is also called the battle of Opequan.

Wind River Reservation. (See Shoshone Reservation.)

Windom, William, Secretary of Treasury, death of, announced and honors to be paid memory of, IX, 164.
Referred to, IX, 133.

Wines, E. C., commissioner to International Congress on Prevention of Crimes, report of, referred to, VII, 161.

Wines, duty on, discussed, II, 568; III, 102; IV, 274, 400.

Winnebago Indians.—A tribe of the Siouan stock of Indians. The name is a corruption of a word meaning "dirty water." They called themselves Hotcangara, meaning "parent speech." Early in the history of the Northwest Territory the Winnebagoes migrated eastward, but were forced back to the vicinity of Green Bay, Wis. They were nearly exterminated through wars with neighboring tribes in the seventeenth century. They aided the French in the wars between France and England and were allies of the British during both the Revolution and the War of 1812. The Winnebagoes were active in the Indian war of 1793-94 and were subdued by Gen. Wayne. A treaty of peace was made with them in 1816. In 1826 and 1827 treaties were made fixing the boundaries of their hunting grounds. In 1829 they ceded large tracts of land to the General Government, and after several removals they were in 1866 settled upon reservations in Nebraska and Wisconsin. Their number in 1893 was 2,184.

Winnebago Indians:

Agent for, recommended, VIII, 374.

Claim of Omahas against, VIII, 264.

Treaty with, II, 347, 395, 397, 423, 425, 430, 464, 466, 607; III, 395; V, 238, 242, 306, 578; VI, 376.

Winslow, Ezra D., refusal of Great Britain to surrender other fugitives and, VII, 371, 415.

Winslow, John A., thanks of Congress to, recommended, VI, 256.

Winslow, The, disabled in conflict in Cardenas Bay, Cuba, X, 77, 91.

Rescued by the *Hudson*, X, 77.

Thanks of Congress to officers and men of, recommended, X, 77.

Winthrop, Robert C., correspondence respecting presentation to United States of desk upon which Declaration of Independence was written, VII, 588.

Wisconsin.—One of the United States; nick-

name, "The Badger State;" motto, "Forward." It lies in the northern part of the country, between lat. 42° 27' and 47° north and long. 86° 53' and 92° 54' west, not including islands in Lake Superior and Michigan. It is bounded on the north by Lake Superior and the upper peninsula of Michigan, on the northeast and east by the upper peninsula of Michigan and Lake Michigan, on the south by Illinois, and on the west by Iowa and Minnesota (separated mostly by the Mississippi and St. Croix rivers). Wisconsin is hilly in the north and southwest, but elsewhere is generally level. It has important agricultural, mining, and lumbering interests and extensive manufactures of flour, machinery, and beer. It was visited as early as 1634 by Nicollet, La Salle, and French fur traders, who established a settlement at Green Bay in 1639. It was included in the Northwest Territory till 1800, when it became a part of the Indiana Territory. In 1809 it was included in Illinois Territory, in 1818 in Michigan Territory, and in 1836 it was organized as Wisconsin Territory, and included, besides its present area, the territory now embraced in the States of Iowa and Minnesota and part of the Dakotas. It was admitted to the Union May 29, 1848. Area, 56,040 sq. miles; population, according to the State census of 1905, 2,228,949.

Wisconsin:

Act for continuing certain works in, reasons for applying pocket veto to, IV, 610.

Boundary line with Michigan referred to, III, 629.

Constitution adopted by, transmitted, IV, 509, 577.

Volunteers from, thanks of President tendered, VI, 241.

Wisconsin River, act regarding improvement of, vetoed, VII, 282.

Wise, Henry A., minister to—

Brazil—

Correspondence of, referred to, IV, 576, 578, 688.

Dispatches from, regarding slave trade, IV, 362.

France, nomination of, and reasons therefor, IV, 233.

Witnesses:

Fees of, referred to, VIII, 143, 183, 249.

Protection of, from injury recommended, IX, 42.

Witt, William F., act granting pension to, vetoed, VIII, 648.

Wolcott, Oliver, commissioner of United States, nomination of, I, 300.

Wolford, Frank, Presidential elector of Kentucky, arrest and imprisonment of, VI, 259.

Woman Suffrage.—The claims for woman suffrage rest largely upon a dogma that suffrage is a natural right. The constitution of New Jersey, framed in 1776, and a statute passed in 1793 to regulate elections, permitted all inhabitants with certain qualifications to vote and stipulated how each should deposit "his or her ballot." This act was repealed in 1807. Advocates of woman suffrage argue that it is a natural right and that "the consent of the governed" is not the governed property holders, nor the governed voting men, but all the governed, men and women; that the voting of males is no longer conditioned upon military service, and that woman needs a vote to adequately protect and advance her interests. In reply to these

Woman Suffrage—Continued.

claims it is held that "suffrage is not a natural right; that in all ages and countries it has been conditioned upon qualifications of expediency; that representation of tax-paying women practically exists; that the interests of the family and of the State will be best preserved by continuing the division of labor which hitherto has exempted women from military and political duty; that the interests of women are not so distinct from those of men as to make their representation as a class necessary, and that their interests can be adequately protected without their voting." The agitation has resulted in a partial enfranchisement of women, in elections involving property taxes and schools, in about half of the States and Territories. In four States women possess suffrage on equal terms with men, namely, in Wyoming, Colorado, Utah, and Idaho. In Kansas women can vote in school and municipal elections. Women possess school suffrage in 17 States; namely, in Arizona, Connecticut, Illinois, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, South Dakota, Vermont, Washington, and Wisconsin. In addition to school suffrage Montana and Iowa permit women to vote upon the issuance of municipal bonds; while Louisiana gives to women tax-payers the right to vote on all questions concerning the expenditure of public money. A modified and restricted form of suffrage is also granted in Kentucky and Texas, so that women have either full or partial franchise in 27 States of the Union.

Woman's Rights.—The first woman's rights convention was held at Seneca Falls, N. Y., July 19, 1848. It demanded for women equal rights with men. The women based their claims on the Declaration of Independence. The first national woman's rights convention was held at Worcester, Mass., Oct. 23, 1850. In 1866 the American Equal Rights Association presented the first petition ever laid before Congress for woman suffrage. The New England Woman's Suffrage Association was formed in 1868, and the first systematic effort was then begun for memorializing legislatures and Congress. The Massachusetts Republican convention of 1868 admitted Lucy Stone and Mary A. Livermore as delegates. The following year the convention of the party in that State indorsed woman suffrage. In 1872 and again in 1876 the Republican National Convention resolved "that the matter of woman's rights should have respectful consideration." Besides the women mentioned above some of the more prominent leaders in the woman's rights movement have been Susan B. Anthony, Elizabeth Cady Stanton, Virginia L. Minor, Matilda Jocelyn Gage, Julia Ward Howe, Carrie C. Catt, and Anna H. Shaw. (See also *Woman Suffrage*.)

Wood, John E., correspondence of, referred to, V, 483.

Wood, Lafayette B., brevet second lieutenant, promotion of, to second lieutenant recommended, IV, 446.

Woodbridge, Sarah A., act granting restoration of pension to, vetoed, VIII, 727.

Woodbury, Harriet, act to pension, vetoed, IX, 756.

Woodbury, Levi, Secretary of Treasury in 1836 issued an order regarding the circulation of small bank notes and certain rules to reduce the number of by payment in specie.

Correspondence respecting interference in elections and pay of soldiers, III, 96.

Woodcock, Amanda, act granting pension to, vetoed, IX, 681.

Woodford, Stewart L., minister to Spain mentioned, X, 32, 59, 61.

Withdrawal of, X, 87.

Woodruff, Wilford, letter of, advising Mormons to refrain from contracting marriages forbidden by law referred to, IX, 118.

Woodson, Mary S., act granting pension to, vetoed, VIII, 449.

Woodworth, Mary, act granting pension to, vetoed, VIII, 732.

Woodworth, Selim E., thanks of Congress to, recommended, VI, 76.

Wool, John E.:

Correspondence regarding Department of Pacific, V, 296, 298, 483.

Inquiry in case of, III, 372.

Thanks of President tendered to, and the forces under his command in bringing about the surrender of Norfolk, and the evacuation of batteries, VI, 112.

Wool and Woollens, import duty on, discussed, III, 28; VII, 293.

Woolley, Abram R., mentioned, II, 112.

Wooster, David, monument to memory of, information regarding, II, 232.

Worcester, Dean C., member of commission to Philippine Islands, X, 359.

Worcester, Frank D., act granting pension to, vetoed, VIII, 826.

Worcester vs. Georgia.—An important Supreme Court case involving the right of individual States to make laws at variance with treaties made by the Government of the United States. Samuel A. Worcester was a missionary among the Cherokees. In 1831 he was arrested by officers of the State of Georgia, tried, and sentenced to 4 years' imprisonment for living among the Indians in violation of an act of the State legislature which forbade any white person to reside among the Indians without a license from the governor of the State or some one else authorized to issue it. Worcester pleaded authorization by the President and by the Cherokees, also the unconstitutionality of the act itself. By a writ of error the case was brought before the United States Supreme Court. That tribunal reversed the decision of the State court and rendered judgment in favor of Worcester on the ground that the Georgia act, being repugnant to the Constitution, to the treaties made by the United States with the Cherokees, and to the laws of Congress in execution thereof, was unconstitutional and void. It was held that the treaties and laws of the United States contemplate the Indian territory as completely separated from that of the States, and provide that all intercourse with the Indians shall be carried on by the Government of the Union.

Worden, John L.:

Captain in Navy, nomination of, VI, 151.

Imprisonment of, VI, 34.

Thanks of Congress to, recommended, VI, 143.

Thanks of President tendered, VI, 112.

Worden, L. J., act for relief of, vetoed, VIII, 662.

Consideration and return of, discussed, VIII, 664.

World's Columbian Commission:

Reports of, deposited in State Department, IX, 749.

Reports of, transmitted, IX, 132, 234, 334.

World's Columbian Exposition.—The idea of celebrating by an exposition the fourth centenary of the discovery of America by Columbus was conceived during the progress of the Centennial Exposition at Philadelphia in 1876. The project was widely discussed and met with general favor, New York, Washington, St. Louis, and Chicago competing for the site. In February, 1890, Congress authorized the holding of the exposition and designated Chicago as the place. A company had already been organized, with a capital of \$5,000,000, for holding the fair. The buildings were dedicated Oct. 21, 1892, just 400 years after the landing of Columbus. Owing to the magnitude of the enterprise the exposition did not open until May 1 following, remaining open till the 30th of the following October. It surpassed all previous world's fairs in every respect except in point of attendance, in which it fell below that of the Paris Exposition of 1889 only. Jackson Park and the Midway Plaisance, the site of the exposition, covered 633 acres of land on the shore of Lake Michigan, and of this about 190 acres were under roof. The 28 main exposition buildings occupied 142½ acres, the remainder being covered by State and foreign buildings and concessions. The building devoted to the exhibition of manufactures and liberal arts was the largest in the world. It measured 1,687 by 787 feet and covered 30½ acres. The central hall, 1,280 by 380 feet, was open to the roof, a distance of 237.6 feet, without a supporting column. There were 11 acres of skylight and 40 carloads of glass in the roof, and it required 7,000,000 feet of lumber and 5 carloads of nails to lay the floor. The buildings were painted by spraying machines and covered with a composition resembling marble, which gave the fair the name of the "White City." Fifty-two foreign powers officially participated in the exposition in response to President Harrison's proclamation of Dec. 24, 1890, inviting "all the nations of the earth to take part in the commemoration of an event that is preeminent in human history and of lasting interest to mankind (IX, 140). The United States Government appropriations amounted to \$6,000,000. There were in all 65,422 exhibitors, 27,529,400 admissions, and the receipts amounted to \$14,117,332, exceeding the expenditures by nearly \$2,000,000.

World's Columbian Exposition at Chicago:

Board of management of Government exhibit designated, IX, 401.

Chinese artisans, admission of, to, temporarily, recommended, IX, 187.

Military encampment to be held during, discussed, IX, 234.

Proclamation respecting opening of, IX, 140.

Proposition to observe four hundredth anniversary of discovery of America by opening of, discussed, IX, 52.

Referred to, IX, 187.

Reports of—

Deposited in State Department, IX, 749.

Discussed and recommendations regarding, IX, 132, 234, 330, 334, 752.

Resolution of International American Conference regarding, IX, 77.

World's Fair. (See *World's Columbian Exposition*.)

World's Industrial and Cotton Centennial Exposition at New Orleans, VIII, 186, 215, 217, 276, 338.

Board on behalf of Executive Departments designated, VIII, 228, 230.

Also placed in charge of Cincinnati and Louisville expositions, VIII, 232.

Instructions to, VIII, 232, 233.

Proclamation regarding, VIII, 159.

Report of board of managers of, referred to, VIII, 368.

Worrell, Edward, consul at Matanzas, correspondence regarding estates of deceased American citizens in Cuba, V, 360.

Worthington, Nicholas E., member of Strike Commission, IX, 551.

Wright, Anna, act granting pension to, vetoed, VIII, 567.

Wright, Carroll D., member of Strike Commission, IX, 551.

Wright, Isaac H., naval agent, appointment of, referred to, IV, 422.

Wright, J. C., correspondence regarding removal of remains of the late President W. H. Harrison, IV, 53.

Wright, John V., member of Indian commission, IX, 144.

Wright, Joseph A., compensation to, for attending International Agricultural Exhibition at Hamburg, Germany, recommended, VI, 197.

Wright, Laura A., act granting pension to, vetoed, VIII, 638.

Wright, Obed, arrest and prosecution of, for murder of friendly Indians, II, 49.

Württemberg.—A Kingdom of the German Empire, lying between Bavaria on the east and Baden on the west, while to the south it reaches Lake Constance and the borders of the Tyrol. Though primarily an agricultural State, yielding considerable quantities of grain, beets, hops, flax, and hemp, Württemberg has numerous flourishing industries, Stuttgart is the center of the publishing trade of southern Germany and gold and silverware, clocks, pianos, surgical instruments, paper, beer and sparkling wine are largely produced both in the capital and other cities of the Kingdom. The government is a limited monarchy administered by the King, and two legislative chambers. Württemberg sends 4 representatives to the Bundesrat and 17 to the Reichstag. Education is compulsory, the standard of illiteracy is very low and there is an excellent university at Tübingen, founded in 1477. The King is the head of the Evangelical church to which 69 per cent of his subjects belong; Catholics and Jews form the rest of the population. The former Duchy and Electorate of Württemberg became a Kingdom by the peace of Pressburg in 1805 and became a State in the German Empire in 1871. Area, 7,534 sq. miles; population (1900), 2,169,480.

Württemberg:

Convention with, IV, 316.

Naturalization treaty with, VII, 43.

Wyandotte, The, capture of the *William* by, V, 595.

Wyandotte Constitution.—The final constitution of the State of Kansas, adopted Oct. 4, 1859. It was ratified by a vote of 10,421 to 5,530. It prohibited slavery. The governor was to be elected for 2 years, and Topeka was made the capital. This constitution was adopted at Wyandotte, now a part of Kansas City, Kans. (See also Lecompton Constitution; Topeka Constitution.)

Wyandotte Indians.—A tribe of the Iroquoian family of Indians. When first known to the whites they occupied a narrow strip of land in Ontario, but between 1615 and 1650 they were almost exterminated in war with neighboring tribes. They joined with another tribe and soon spread along the south and west shores of Lake Erie and acquired considerable influence. The Wyandottes sided with the French till the close of Pontiac's War and aided the British in the War of 1812. The word "Wyandotte" means "calf of the leg," and refers to the manner in which they cut their meat. They were called "Hurons" by the French on account of the arrangement of their hair, which resembled the bristles of a wild boar. They now number about 700, mostly at Quapaw Agency, Ind. T.

Wyandotte Indians:

Lands to be conveyed to, by Delawares, IV, 276.

Treaty with, I, 363, 390, 397, 434, 439, 460, 554, 569; II, 21, 47, 569; III, 226; IV, 157; V, 66, 301.

Opinion of Senate concerning, requested, I, 62.

Referred to, V, 304.

Transmitted for exercise of powers for fulfilling, X, 46.

Wyld, Robert S., act for relief of, approved and reasons therefor, VIII, 152.

Wyoming.—One of the United States; motto, "Equal rights." It lies between lat. 41° and 45° north and long. 104° and 111° west. It is bounded on the north by Montana, on the east by South Dakota and Nebraska, on the south by Colorado and Utah, and on the west by Utah and Idaho. The surface being mountainous, the leading industries are stock raising and mining. Gold, coal, iron, and petroleum are the chief minerals. Most of the present State was included in the Louisiana Purchase. It was organized as a Territory in 1868 from areas previously in Dakota, Idaho, and Utah, but derived more remotely from the original Territories of Nebraska, Utah, and Oregon, a portion having at one time also belonged to Washington. Wyoming was admitted to the Union in 1890. Area, 97,890 sq. miles; population, according to the State census of 1905, 101,816.

Wyoming:

Admission of, into Union discussed, IX, 118.

Chinamen injured by lawless men in, VIII, 329, 333, 498.

Indemnity to, recommended, VIII, 634.

Appropriation for, VIII, 782.

Troops sent to protect, VIII, 348.

Lands in, set apart for public reservation by proclamation, IX, 142, 155, 789, 793.

Organized band of persons in, referred to, VII, 60.

Unlawful combinations in, proclamations against, IX, 290, 500.

Wyoming Controversy.—In the original char-

ter granted by Charles I to William Penn the northern boundary of Pennsylvania was fixed at lat. 43° north. However, the proprietors of the colony accepted 42° as the northern boundary and extended the southern boundary to include the Chesapeake and Delaware bays. Connecticut claimed all the territory north of 41° in Pennsylvania, and asserted her rights by chartering the Susquehanna Company, organized in 1753, to form settlements in the disputed territory. In 1762 the company sent its first party of settlers, 200 in number, into the region, but they were driven out by the Indians, who repudiated a previous sale of their rights to Connecticut and made a sale to Pennsylvania. In 1769 the Susquehanna Company sent more colonists into the disputed country, and a desultory warfare began between them and the Pennsylvania settlers, to whom the territory had been leased. The former were several times driven out of the disputed district by the Pennsylvanians, but they finally obtained a permanent lodgment, as the Pennsylvania contestants were only lessees, while their opponents fought for their property rights. Hostilities with the mother country caused a suspension of civil strife for a time. In 1779 an act of the Pennsylvania legislature transferred all the proprietary lands to the State. Pennsylvania brought suit against Connecticut to decide the jurisdiction over Wyoming. The case was heard by 5 judges at Trenton. In November, 1782, their unanimous decision, afterwards confirmed by Congress, was in favor of Pennsylvania.

Wyoming Massacre.—July 3, 1778, Col. Zebulon Butler, of the Continental army, with a force of about 300 militiamen, mostly old men and boys, marched out of Fort Fort, in the Wyoming Valley, about 3 miles above Wilkesbarre, Pa., to drive off an invading party of some 800 Indians and Tories under Chief Joseph Brant and the British Colonel Walter Butler. The Indians burned the forts in the upper part of the valley and forced the American militiamen to retreat in disorder. Of the 300 who left the fort in the morning the names of 162 officers and men are recorded as killed in action and the massacre which followed. Butler, the British officer in command, reported the taking of 227 scalps and only 5 prisoners. Col. Zebulon Butler with 14 men escaped from the valley.

X

X. Y. Z. Mission.—An American embassy to France in 1797, consisting of Charles C. Pinckney, John Marshall, and Elbridge Gerry. Francis Dana declined appointment to this mission because of ill health. During the strained relations between the United States and the French Republic it became necessary to ask for the recall of Genêt, the French minister. In return France asked that Gouverneur Morris be recalled. Wishing to avoid rupture between the two Republics, President John Adams called a special session of Congress and announced his intention of sending a special mission to France to conciliate that country if possible (I, 245). In October the commission met at Paris and endeavored to

X. Y. Z. Mission—Continued.

open negotiations with Talleyrand, the minister of foreign affairs. Talleyrand deputed 3 special agents to treat with the Americans, and these were designated in dispatches to the United States Government as X., Y., and Z., respectively. They suggested that the American commissioners submit to Talleyrand a proposal from the United States to lend to France a large sum of money, or that the United States accept from France the assignment of a loan extorted from the Dutch, and that one of the envoys return to America to arrange the details of the business. The commissioners flatly refused the proposals, and their mission, which was fruitless, terminated. The correspondence was disclosed upon their return and aroused much indignation against France. While on this mission Charles Cotesworth Pinckney made the famous reply to an intimation that peace might be assured by a payment of money, "Millions for defense, but not a cent for tribute."

Y

Yakama Indians, treaty with, V, 381.

Yakima Reservation, Wash., lands on, to be used by Northern Pacific Railway, VIII, 277, 369, 593.

Yale, The, mentioned, X, 93.

Yamghelm, Eli J., act granting pension to, vetoed, VIII, 817.

Yancton Indians, treaty with, II, 346.

Yanctoni Indians, treaty with, II, 346.

Yangtze River, steamers sailing under American flag prohibited from passing through Straw Shoe Channel on, VI, 698, 704.

Yankee, The, mentioned, X, 92.

Yankee Doodle.—A popular national air of the United States. The words are said to have been written in derision of the ill-assorted Continental troops, about 1755, by Dr. Schuckburgh, a surgeon under Gen. Amherst in the French and Indian War. The original title was "The Yankee's Return from Camp," and there are several versions. The tune has undergone various changes.

Yankees.—A word of uncertain origin, first applied to the early English colonists, later by the English to Americans generally, and still later to Northerners by people of the South. According to common legend, Yankees is a corruption of Yengees, Yaunghees, or Yang-hies, a name said to have been given by the Massachusetts Indians to the English colonists in their efforts to pronounce the word "English" or the French word "Anglais." It was first applied to the New Englanders as a term of reproach by British soldiers.

Yard, James, consul to Santa Cruz, nomination of, I, 98.

Yazoo Frauds.—A term applied to the sale by the State of Georgia in 1795 of her western territory, now included in Alabama and Mississippi, to 4 land companies, known generally as the Yazoo companies from the district in which they operated. The land extended from the Alabama and Coosa rivers to the Mississippi, and from the thirty-first to the thirty-fifth parallel, and the price paid to the state was \$500,000, or about 1½ cents per acre. It was charged that many

members of the legislature who voted for the sale had been bribed. President Washington made the alleged frauds the subject of a special message (I, 175). The people of the State were indignant and a party was formed to repeal the sale. In 1796 the records of the transaction were burned in the presence of the governor and legislature. Immediately numerous claims sprang up, which had to be decided by Congress. The territory was ceded to the United States in 1802. The next year President Jefferson appointed a commission to investigate the claims, and James Madison, chairman of the commission, recommended a compromise, but Georgia refused to compensate the claimants. Their claim was sustained by the Supreme Court, however, Chief Justice Marshall holding that allegations of bribery of the legislature could not be entertained, and that purchasers from the land companies were innocent holders; that the act of the Georgia legislature in 1796 repealing the sale of 1795 was an abrogation of contract, and therefore void. Finally an act was passed in 1814 appropriating \$8,000,000 payable out of the proceeds of the sale of Mississippi lands to satisfy the Yazoo claimants.

Yellow Fever (see also Contagious Diseases; International Sanitary Conference; Quarantine Regulations):

Commission to investigate causes, etc., of, recommended, X, 116.

In Southern States discussed, VII, 492.

Act legalizing issue of provisions to sufferers recommended, VII, 500.

Yellowstone National Park. (See National Parks.)

Yellowstone National Park, compensation to superintendent of, referred to, VII, 82.

Yokum, William, report in case of, transmitted, VI, 211.

York (Canada), Capture of.—The plans for the prosecution of the war with Great Britain in 1813 contemplated an invasion of Canada from both the east and the west. Gen. Harrison successfully carried out the programme in the west, routed Proctor's army, and was in possession of the territory. Apr. 27 Gen. Dearborn, with about 1,700 men under the immediate command of Gen. Zebulon Pike, crossed Lake Ontario on Commodore Chauncey's transports and marched upon the British garrison at York (now Toronto), where Maj. Gen. Sheaffe was in command of 800 regulars and a body of Indians. A sharp conflict ensued. The British and Indians were routed. By the explosion of a magazine Gen. Pike was killed, together with 51 other Americans and 40 British; 180 Americans were wounded by the explosion. The American loss in the battle was 269 on land and 17 on water. The British lost, besides the prisoners, 60 killed and 89 wounded.

York, Canada, reduction of, by American forces, I, 539.

Yorke, Louis A., act for relief of, vetoed, IX, 492.

Yorktown, The. (See Baltimore, The.)

Yorktown, Va., monument at, completed and recommendations regarding, VIII, 263.

Yorktown Centennial Celebration:

British flag to be saluted by American army and navy forces at, VIII, 37.

Referred to, VIII, 38.

Yorktown Centennial Celebration—Continued.

Descendants of Baron von Steuben present at, VIII, 39.

Representatives of French Republic and descendants of Lafayette present at, VIII, 38.

Yorktown (Va.), Siege of, in 1781.—After the battle of Green Springs, or Jamestown, Lafayette withdrew the American army to Malvern Hill. Cornwallis hurried on toward Yorktown, which place Sir Henry Clinton designed to be held as a British post in the absence of sufficient force to hold the entire State of Virginia. By Aug. 27, 1781, the British army in Virginia, consisting of 9,433 men, was concentrated at Yorktown and Gloucester Point, just across the York River. Aug. 30 Count De Grasse arrived in Chesapeake Bay with 26 French ships of the line besides frigates and transports. Sept. 3 Count De St. Simon landed at Jamestown with 3,200 French troops, and the allied armies, numbering 12,000 regular troops and 4,000 militia, under Washington and Lafayette, occupied Williamsburg, about 15 miles from Yorktown. Washington had eluded Clinton by a feint. Sept. 28 the army advanced and took a position about 2 miles from the British works, and on the 29th a general movement was begun to encircle the town and close in upon its defenders. On the Gloucester side the siege was maintained by the Duke de Lauzun with his legion of French cavalry and 800 marines from De Grasse's squadron, besides a body of Virginia militia under Gen. Weedon. Oct. 6 the first parallel was opened under Gen. Lincoln within 600 yards of the enemy, and heavy guns were placed in position, with the loss of 1 French officer and 16 privates. On the 11th a second parallel was established with slight loss. On the 14th the two advanced redoubts of the British were taken by storm by the American light infantry under direction of Lafayette, and the French, under Baron Vioménil. The American loss was 9 killed and 32 wounded. Three French officers were wounded. The British lost 8 killed and 17 prisoners. On the morning of the 16th an unsuccessful sortie was made on the advanced American redoubts by about 350 British under Lieut. Col. Abercrombie, 100 French troops being killed or wounded, with little loss and no advantage to the British. An attempt made by Cornwallis's army to escape in boats that night was frustrated by a storm, and on the morning of Oct. 17, 1781, a flag of truce was sent to Washington, making overtures for surrender. On the 19th articles of capitulation were signed by Washington and Cornwallis. The land forces became prisoners to the Americans and the marine force to the French. The total number of British officers and men surrendered was 7,073 from the army and 900 from the navy, besides 144 guns and 6 British and 18 regimental standards. The military chest contained £2,113. The *Guadaloupe*, *Fowey*, *Benetta*, and *Vulcan*, together with 30 transports, 15 galleys, and many smaller vessels, fell into the hands of the French. The total casualties of the siege were: British, 156 killed, 326 wounded, and 70 missing; American, 23 killed, 65 wounded; French, 52 killed, 134 wounded.

Yorktown (Va.), Siege of, in 1862.—Nov. 1, 1861, McClellan was appointed to the chief command of the armies of the United States. He set about improving the organization and efficiency of the men, and by Mar. 1, 1862, the forces about Washington numbered 221,987. The country was growing impatient at the inactivity of the Army, and the cry "On to Richmond" was almost universal in the North. The President directed that a move of some kind be made. The knowledge that McClellan contemplated a forward movement caused the Confederates to evacuate Manassas, Johnston withdrawing his forces to the defense of Richmond Mar. 9, 1862. Mar. 11 the President relieved McClellan of the command of all military departments except that of the Potomac, which had been divided into 5 corps, under command of Generals McDowell, Sumner, Heintzelman, Keyes, and Banks. It was decided that this army, except so much as was necessary for the protection of Washington, should move upon Richmond by way of the Virginia Peninsula, lying between the James and York rivers. Fort Monroe occupies the extremity of the peninsula. Heintzelman's corps embarked Mar. 17, and Apr. 1 the headquarters of the Army of the Potomac were transferred to the vicinity of Fort Monroe. Yorktown was defended by Gen. Magruder with less than 8,000 Confederates. Apr. 4 occurred the principal skirmish of the siege, in which 35 men were killed and 120 wounded on the Union side, while the Confederates lost more than 100 killed. The next month was consumed by McClellan in building fortifications and roads to take Magruder's army. May 5 the last of the Confederates retired up the peninsula.

Yosemite National Park. (See National Parks.)

Young, Brigham, governor of Utah:

Despotic power of, discussed, V, 454.

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Rebellion under leadership of, discussed, V, 455, 503.

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Young, Jonathan, commander in Navy, nomination of, to be restored to original position, and reasons therefor, VII, 48.

Young, Samuel B. M., operations of brigade under, around Santiago, Cuba, discussed, X, 170.

Youngstown, Ohio, act for erection of public building at, vetoed, VIII, 669.

Yucatan.—A peninsula of Mexico. It comprises the States of Yucatan and Campeche and the territory of Quintana. It is bounded on the north by the Gulf of Mexico, on the east by the Channel of Yucatan (which separates it from Cuba) and the Caribbean Sea, on the south by British Honduras and Guatemala, and on the west by the Gulf of Campeche. The surface is low. Its chief product is sisal hemp. Yucatan was discovered in 1517; was conquered by Spain 1527-1547; became independent 1821; was annexed to Mexico 1822. In April, 1848, President Polk reiterated the "Monroe doctrine" while discussing the relations of the United States and Yucatan (IV, 581).

Yucatan:

Acquisition of, by United States discussed, IV, 581.

Aid of United States asked for, by, to suppress Indian hostilities, IV, 581.

Foreign powers must not take possession of, IV, 581.

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Yukon, The, mineral wealth in, value of, IX, 631.

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Zanesville, Ohio, act for erection of public building at, vetoed, VIII, 431.

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Zantzingers, John P., captain in Navy, nomination of, and reasons therefor, III, 528.

Zanzibar, treaty with, VIII, 610.

Zenger's Case.—One of the most important struggles for the freedom of the press in America. John Peter Zenger was editor and publisher of the New York Weekly Journal, which was founded by him in 1726. His newspaper openly denounced the administration of the colonial government. For this he was brought to trial in 1735, charged

with the publication of "false, scandalous, malicious, seditious libels" against the royal government of the Colony of New York. Strenuous efforts were made to secure Zenger's conviction, but no jury could be found to convict him.

Zepeda, Señor, treaty between United States and Nicaragua concluded by, V, 34.

Zollverein.—A union of German States for the maintenance of uniform rates of duty on imports from other countries and of free trade among themselves. It began in 1828 in an agreement between Prussia and the Grand Duchy of Hesse, and gradually developed until now it is coextensive with the German Empire, and also includes the Grand Duchy of Luxemburg.

Zollverein, The. (See Germany.)

Zona Libre.—A narrow strip of territory along the northern border of Mexico, so called because certain articles imported for consumption in it were formerly exempted from customs duties. It was first established in 1858. Imports into the zone latterly paid 10 per cent. of the ordinary duties, except cattle, which paid full duty. The zone was suppressed July 1, 1905.

Zona Libre:

Discussed, VII, 101, 146, 341; VIII, 219; X, 109.

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Zuloaga, Félix, supreme power in Mexico assigned to, V, 563, 644.





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